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THE IOWA JOURNAL of History and Politics

JANUARY 1904



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Vol II **JANUARY 1904** No 1

CONTENTS

The First Elections Under the Constitution
CHARLES OSCAR PAULLIN 3

Some Iowa Mounds—An Anthropological Survey
DUREN J. H. WARD 34

The Origin and History of the Iowa Idea
GEORGE EVAN ROBERTS 69

Shelby County—A Sociological Study JOHN J. LOUIS 83

Daughters of the American Revolution
CAROLINE CLIFFORD BURBANK 102

Some Publications 116

BECKWITH—*Collections of the Illinois State Historical Library* (p. 116) . . . L. G. WELD
BOWMAN—*The Administration of Iowa, a Study in Centralization* (p. 118) . B. F. SHAMBAUGH
HULBERT—*Historic Highways of America* (p. 120) F. E. HORACK
INTERSTATE COMMERCE COMMISSION—*Railways in the U. S. in 1902* (p. 121) . J. E. CONNER
MACDONALD—*Select Statutes of United States History* (p. 122) B. F. SHAMBAUGH
MEADE—*Trust Finance* (p. 123) F. E. HORACK
SMITH—*History of the Seventh Iowa Veteran Volunteer Infantry* (p. 124) . . J. W. RICH
SPEARS—*History of the Mississippi Valley to the End of Foreign Domination* (p. 125) L. G. WELD

Notes and Comment 127

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OF

HISTORY AND POLITICS

EDITOR
BENJAMIN F. SHAMBAUGH
PROFESSOR OF POLITICAL SCIENCE
IN THE UNIVERSITY OF IOWA

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CONTENTS

Number 1—January 1904

The First Elections Under the Constitution
Charles Oscar Paullin 3

Some Iowa Mounds—An Anthropological Survey
Duren J. H. Ward 34

The Origin and History of the Iowa Idea
George Evan Roberts 69

Shelby County—A Sociological Study John J. Louis 83

The Iowa Daughters of the American Revolution
Caroline Clifford Burbank 102

Some Publications 116

Beckwith—*Collections of the Illinois State Library* (p. 116) L. G. Weld
Bowman—*The Administration of Iowa, a Study in Centralization* (p. 118) B. F. Shambaugh
Hulbert—*Historic Highways of America* (p. 120) . F. E. Horack
Interstate Commerce Commission—*Railways in the U. S. in 1902* (p. 121) J. E. Conner
MacDonald—*Select Statutes of United States History* (p. 122) B. F. Shambaugh
Meade—*Trust Finance* (p. 123) F. E. Horack
Smith—*History of the Seventh Iowa Veteran Volunteer Infantry* (p. 124) J. W. Rich
Spears—*History of the Mississippi Valley to the End of Foreign Domination* (p. 125) L. G. Weld

Notes and Comment 127

Number 2—April 1904

The American Political Science Association
Paul S. Reinsch 155

A Brief History of the Amana Society, 1714–1900
Charles Fred Noe 162

Digitized by Google

The Iowa Society of the Sons of the American Revolution
ELBRIDGE DREW HADLEY 188

The League of Wisconsin Municipalities
SAMUEL EDWIN SPARLING 199

Shelby County—A Sociological Study JOHN J. LOUIS 218

The Constitution of Colorado ELMER HERBERT MEYER 256

Some Publications 275

Smith—*Arnold's March from Cambridge to Quebec* (p. 275) W. C. Wilcox
Johnson—*American Railway Transportation* (p. 277) J. E. Conner
Thorpe—*William Pepper, M.D., L.L.D* (p. 279) B. F. Shambaugh
Chittenden—*History of Early Steamboat Navigation on Missouri River* (p. 280) F. H. Garver
Cromwell—*Students' Outline for the History of the United States* (p. 282) F. E. Horack
Board of Control—*Bulletin of Iowa State Institutions* (p. 284) I. A. Loos
Blanchard—*History of the Cession of Louisiana to the United States* (p. 285) F. H. Garver
Hulbert—*Historic Highways of America* (p. 286) . M. Budington
Illinois State Historical Society—*Fourth Annual Meeting* (p. 287) F. E. Horack
Iowa Academy of Sciences—*Proceedings for 1902* (p. 289) T. J. Fitzpatrick

Notes and Comment 291

NUMBER 3—JULY 1904

Daniel Webster HORACE E. DEEMER 315

First Yearly Meeting of the Iowa Anthropological Association DUREN J. H. WARD 342

Maps Illustrative of the Boundary History of Iowa
BENJAMIN F. SHAMBAUGH 369

Some Phases of Corporate Regulation in the Territory of Iowa FRANK EDWARD HORACK 381

The National University of Agriculture JESSE MACY 394

A Bibliography of Iowa State Publications for 1898 and 1899 MARGARET BUDINGTON 399

Digitized by Google

Some Publications 430

American Historical Association—*Annual Report for the Year 1902* (p. 430) P. S. Peirce
Martin—*Iowa Official Register* (p. 432) . . . M. Budington
Willoughby—*The Political Theories of the Ancient World* (p. 434) B. F. Shambaugh
Peirce—*The Freedmen's Bureau* (p. 435) . . . K. F. Geiser
Rowe—*The United States and Porto Rico* (p. 437) . F. E. Horack
Stevens—*The Black Hawk War* (p. 438) . . D. J. H. Ward
Steele—*Check List of the Publications of the State of Iowa* (p. 440) T. J. Fitzpatrick

Notes and Comment 450

Number 4—October 1904

The Negro and Slavery in Early Iowa — Louis Pelzer 471

Some Phases of Corporate Regulation in the State of Iowa — Frank Edward Horack 485

Assembly Districting and Apportionment in Iowa — Benjamin F. Shambaugh 520

Some Publications 604

Beardshear—*A Boy Again and Other Prose Poems* (p. 604) G. E. MacLean
Iowa Department of Agriculture—*The Iowa Year Book of Agriculture* (p. 607) T. J. Fitzpatrick
Wilcox—*The American City: a Problem in Democracy* (p. 609) F. E. Horack
Iowa Park and Forestry Association—*Proceedings* (p. 610) T. J. Fitzpatrick
Thwaites—*How George Rogers Clark Won the Northwest and Other Essays in Western History* (p. 612) . . H. G. Plum
Iowa Academy of Sciences—*Proceedings for 1903* (p. 613) T. J. Fitzpatrick

Notes and Comment 615

Index 625

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THE FIRST ELECTIONS UNDER THE CONSTITUTION[1]

This article treats of the election of electors and their choice of the first President and Vice-President, and of the election of representatives and senators to the first Congress. Information has been sought chiefly upon the legal provisions which the States made, the political parties and the campaign, and the voting for candidates and its results. Many facts greatly to be desired are either inaccessible or are wholly lacking. The printed official records of Georgia, Delaware, and New Jersey are scant. Little information about the first elections of senators has come down to us. This article must therefore lack in completeness and in uniformity of treatment.

New Hampshire, June 21, 1788, won the distinction of making the Constitution effective by giving the ninth vote in its support. The next step towards putting the new system into operation fell to the Congress of the Confederation. Its action was delayed several months by a wrangle over the place where the seat of government should be. Having settled this point in favor of New York, Congress, on September 13, 1788, passed a resolution that the States should appoint electors on the first Wednesday in January, 1789, that these electors should vote for President on the first

[1] This article was originally prepared as a paper for a seminar in American Constitutional History conducted by Professor J. Franklin Jameson at the University of Chicago.

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Wednesday in February, and that the new Congress should meet on the first Wednesday in March[1]—this last clause fixed Inauguration Day on March 4.

It now devolved upon the States to provide by legislative acts, so far as was necessary, for the election of electors, representatives, and senators, and to proceed to their election. The States at once began to move after the passage of the resolution of September 13, 1788, no State having taken any action previously. With poor facilities for communication and travel, the time for choosing electors, less than four months, was short enough. Pennsylvania passed the necessary legislation during her legislative session of September 2–October 4; Connecticut and Delaware, in October; South Carolina, New Hampshire, Virginia, Georgia, Massachusetts, and New Jersey in November; Maryland in December; and New York in January, 1789. North Carolina and Rhode Island did not adopt the Constitution until some time after it went into effect.

In choosing electors the States followed one of two methods. Pennsylvania, New Hampshire, Virginia, Maryland, and Massachusetts, (except the latter State's two electors at large), elected by popular vote. In Connecticut, New Jersey, Delaware, South Carolina, and Georgia the electors were chosen by the legislature. New York was not represented in the first electoral colleges. In all the States the election of representatives was by the people, and of senators, of course, by the legislatures. Massachusetts, New York, Virginia, North Carolina, and South Carolina were divided into districts, each of which chose one represent-

[1] *Journals of the Continental Congress*, Sept. 13, 1788.

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ative—the method that is now followed in all the States except South Dakota and Washington.[1] New Hampshire, Connecticut, Pennsylvania, New Jersey, and Georgia elected their representatives on a general ticket. In Maryland there was a combination of both methods. Delaware and Rhode Island fall into a class by themselves since each chose but a single representative. In the election of senators two methods were followed—joint ballot, and concurrent vote. The former was adopted by Maryland, North Carolina, and Rhode Island; and the latter, by New Hampshire, Massachusetts, and New York. Information is lacking as to the remaining States, but probably some followed one method, and some the other.

The election in the five States that chose electors by a popular vote will be first considered. The legislature of Pennsylvania was in session when Congress passed the resolution of September 13, and before it adjourned, October 4, it made provision for a popular election of electors and representatives, both on a general ticket.[2] Some months before this action the Anti-Federalists, who were quite active in Pennsylvania, took steps towards nominating a ticket for the State.[3] Near the close of June, 1788, representatives of the county of Cumberland met and issued a call for a State convention to be held at Harrisburg, September 3, and elected delegates thereto. The purpose of

[1] E. C. Griffith, *The Nation*, Oct. 30, 1902, 343.

[2] Bioren, *Laws of Pennsylvania*, II, 437; McMaster and Stone, *Pennsylvania and the Federal Constitution*, 672.

[3] Walton, *Nominating Conventions* in *American Historical Review*, II, 262. McMaster and Stone, *Pennsylvania and the Federal Constitution*, 552. P. L. Ford, *Harrisburg Convention of 1788* (Pamphlet, 40 p.).

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this convention was to propose amendments to the Constitution, and nominate candidates for representatives and electors. In September thirty-three leading Anti-Federalists, representing Philadelphia and thirteen counties, met at Harrisburg. Eight Anti-Federalist congressmen were nominated, when an objection was raised that such a ticket would not properly represent the State, whereupon two of the nominees were displaced by Federalists. Ten electors were named. To prevent undue publicity these nominations were kept out of the public prints until November, meanwhile being communicated by letters to the Anti-Federalist leaders.

The Harrisburg convention thoroughly aroused the Federalists, who determined to call a new convention to nominate a ticket friendly to the Constitution. Acting under the advice of committees of correspondence, county meetings were held "to take the sense of the people upon who should receive their franchises for representatives in Congress and for electors." These meetings were advertised in the newspapers and by flaming posters on the trees and at the cross roads. Any one might attend them. They were held in all but one county in the State. By this means delegates were selected, thirty of whom met in convention at Lancaster early in November. Philadelphia instructed her delegates to choose her representatives from a list of six names which she presented to them, and her electors from a like list of six other names.[1] The nominees of the convention were all Federalists, and were selected so as to give representation to the different geographical units of the State. Before the day of election the Federalists withdrew two of their nomi-

[1] Scharf and Westcott, *History of Philadelphia*, I, 452–3.

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nees for representatives, and substituted the two Federalists whom the opposition had brought out at Harrisburg. This ruse was to match that of the Anti-Federalists, who, to add to the popularity of their ticket, had retired two more Anti-Federalists and replaced them with Federalists, thus dividing their congressional ticket equally between the two parties. So far as is known, the conventions at Harrisburg and at Lancaster are the first State conventions in the United States held for the purpose of making nominations.[1]

In Pennsylvania Federal party lines coincided with those of State parties. The men who advocated the existing State Constitution were called Constitutionalists, and were generally Anti-Federalists; their opponents were called Republicans and were generally Federalists.[2] Each party accused the other of "peculations and pocketing of the public moneys." Extravagant language was common in the public prints, the first campaign in Pennsylvania in this respect proving to be little behind recent ones in that State.

The election of congressmen, which elicited most interest, was late in November, and that for electors, early in January. All the Federalist nominees for electors and their ticket for congressmen, which included the two Federalists from the Harrisburg ticket, were elected. Pennsylvania's first congressional delegation was a strong one. It included George Clymer, one of the Signers; Peter Muhlenberg, an Episcopalian clergyman, who had risen to the rank of Major General in the Revolutionary army; his brother, Frederick

[1] Dallinger, *Nominations for Elective Office*, in *Harvard Historical Series*, IV, Chapter I.

[2] Hildreth, *History of the United States*, IV, 39.

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Augustus Muhlenberg, first Speaker of the House of Representatives; and Thomas Fitzsimons, a distinguished merchant of Philadelphia. The senators elected were Robert Morris, the financier of the Revolution, and William Maclay, a vain, garrulous man, in whom Pennsylvania set her precedent for sending mediocrities to the Senate. James Wilson was chosen elector. The State's ten electors voted in Reading borough, February 4. As is well known, Washington received the entire electoral vote of this State, and of the other nine States that voted. Pennsylvania gave John Adams eight votes and John Hancock two.

The legislature of New Hampshire, which met November 5, 1788, passed an act, November 12, for the election by the people of electors and representatives on a general ticket, to be held the third Monday in December—the fifteenth.[1] The votes for electors were to be returned to the legislature, which, on the first Wednesday in January, the date fixed by Congress for the choice of electors, was to ascertain and declare appointed the five electors having the highest number of votes, provided such number was a majority. In case one or more electors of the five highest failed of a majority, the legislature was ordered to choose as many as might be wanting from double the number of candidates having the highest number of votes.[2]

As in other States, New Hampshire had a Federalist and an Anti-Federalist party or faction, each of which presented candidates. There was, however, no definite line of cleavage between the two parties, and little party organization.

[1] Stanwood, *History of Presidency*, 22.

[2] New Hampshire, *State Papers*, XXI, 877–78.

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The complicated machinery of nomination and election with which we are now so familiar was wholly unknown in New Hampshire, and this was also generally the case in the other States. Major-General John Sullivan, who had vigorously supported the Constitution, was an unsuccessful candidate on the opposition or Anti-Federalist ticket.[1] His candidacy was largely determined by his own personality and by State politics. At the first election no candidate for representative received a majority, and choice was made from the six highest at a second election held on the first Monday in February, 1789.

On election day no one of the electors received the requisite majority and a selection devolved upon the legislature. The law did not specify the method to be followed in such a case. The House being the most numerous body naturally insisted on a joint ballot, while the Senate stood out for a concurrent vote. A deadlock resulted.[2] Which body had the best of the argument can not be determined from the words of a reporter of the Hartford *Courant*, who thought the observations of the Senate were "pertinent, manly, and firm," while those of the House were "ingenious, deep, and well-digested." In the end, in order that the State's vote might not be lost to Washington, the House concurred in the Senate's list. The Senate stubbornly refused to agree to the motions of the House to refer the matter to a joint committee, or to choose the electors by lot from the ten highest on the list.[3] The five electors were Federalists and all cast

[1] Amory, *Life of Sullivan*, 240.

[2] McMaster, *History of the People of the United States*, I, 525–6.

[3] New Hampshire, *State Papers*, XXI, 373–445.

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their ballots for Washington and Adams. John Langdon, first President pro tem of the Senate, and Paine Wingate were elected senators. The choice of Wingate was made after the Senate had refused to concur in the House's nomination of Nathaniel Peabody, and after Josiah Bartlett had been chosen and had resigned. New Hampshire was represented in the first Congress by Federalists.

Virginia passed an act, November 17, 1788, which provided for a popular election of electors, and made similar provision for representatives, on November 20.[1] The State was divided into twelve districts, each of which chose one elector. All those who were qualified to vote for members of the Virginia General Assembly were to vote at their respective court houses on the first Wednesday in January "for some discreet and proper person, being a freeholder, and bona fide resident in such district for twelve months." An elector who without excuse failed to vote forfeited two hundred pounds. The electors were allowed ferriage and five pence a mile for traveling expenses, and two shillings a day for attendance. A fine of five hundred pounds was the penalty for giving a voter "money, meat, drink or other reward." For the purpose of electing representatives the State was divided into ten districts. The electorate here consisted of all those qualified to vote for members of the Virginia House of Delegates; and the qualifications for a representative were the same as those for an elector. The date of the election, February 2, 1789, was almost a month later than that for electors.

There was much rivalry between the two parties. Each

[1] Hening, *Statutes of Virginia*, XII, 648.

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accused the other of gerrymandering the districts.[1] The Anti-Federalists were especially active in Virginia. Madison said that nine of the twelve electors and seven of the ten representatives were Federalists. He wrote that one Federalist elector was elected "by a coalition between the two parties in Spottsylvania;" and that this man's opponent received the unanimous vote of Amherst because of his previous declaration "on the subject of the president, which satisfied the Federal party."[2] In these words we catch a glimpse of the political manœuvring that marked our first elections. The strength of the Anti-Federalists, who were led by Patrick Henry, came from the backwoods districts and from the great planters. Henry was chiefly instrumental in defeating Madison for the Senate, and in electing William Grayson and Richard Henry Lee, both Anti-Federalists. Madison was more successful as a candidate for representative against Monroe, whom he defeated by three hundred votes. Madison wrote many letters in his own behalf, left his seat in the Continental Congress — with reluctance, however,—made speeches in his district, and personally conducted his campaign.[3] Leaving out Madison, Virginia's first congressional delegation was not a strong one.[4] One of Virginia's representatives came from Kentucky, which at this time was a part of the mother State, and constituted one of her congressional districts.

Two Federalist electors in Virginia did not vote. For

[1] Rowland, *George Mason*, II, 309.

[2] *Letters and Other Writings of James Madison*, 449, 457–8.

[3] *Idem*, 439–40; Ford, *Washington*, XI, 357; S. M. Hamilton, *Monroe*, I, 199.

[4] Bancroft, *History of the United States*, VI, 467.

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Vice-President Adams received five votes; Clinton, three; Jay, one; and Hancock, one. Clinton's votes came from the three Anti-Federalist electors. The votes for Jay and Hancock were probably thrown away from fear that Adams would defeat Washington. Madison thought Virginia took little interest in the election of the Vice-President.

Massachusetts, November 20, provided for a popular election of representatives, and, with some restrictions, of all the electors, except the two at large.[1] Such provision was not made without disclosing a difference of opinion in the General Court. Most, if not all, the Anti-Federalist members together with a faction of the Federalists favored a choice of electors by the people, and of representatives, not by districts, but at large. Another faction of the Federalists wished the electors to be chosen by the legislature and the representatives by districts.

According to the statute of November 20, the State was divided into eight congressional districts. The electorate of each district voted for a representative and also for two candidates for elector. From the two electors that received the most votes the General Court selected one. The General Court also chose the two electors at large. The law required a majority to elect a representative, and in case no one received so many votes, the Governor was authorized to order another election, choice now being made between the two highest. This method caused much delay in several districts, especially the western ones, where the embers of Shays' rebellion were still alive, and party feeling consequently ran high. Only four districts elected a representa-

[1] *Laws and Resolves of Massachusetts*, 1788–9, 258.

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tive at the first election. The Worcester district chose an Anti-Federalist, a partisan of Shays; but the most westerly counties elected a decided Federalist—Theodore Sedgwick. In the Middlesex district Elbridge Gerry, who was opposed by Gorham, his late colleague in the Federal Convention, had to make two trials and publicly declare his allegiance to the Constitution, before he received the requisite majority.[1] The contest was especially warm in the Boston district, where Fisher Ames, the orator, who had won deserved distinction as the advocate of the Constitution, was opposed by Samuel Adams, Rufus King and Harrison Gray Otis being also candidates.[2] Otis had no chance, King's non-residence in Massachusetts was against him, and Adams' stand on the Constitution had been too equivocal, so Ames was elected. There were at least three candidates in the Essex district.[3] Massachusetts' first congressional delegation contained seven Federalists and one Anti-Federalist.

Massachusetts elected senators by a concurrent vote of the two houses.[4] Caleb Strong was the first choice of the House, and the Senate at once concurred. After two or three days of disagreement between the two houses over the second choice, a nominee of the Senate, Tristram Dalton, was selected. Strong had been a member of the Federal Convention. Of Massachusetts' ten members in the first Congress, eight were graduates of Harvard, and one had all but completed the course at Yale.

[1] Hildreth, *History of the United States*, IV, 42.

[2] Wells, *Samuel Adams*, III, 277.

[3] King, *Rufus King*, I, 348.

[4] King, *Rufus King*, I, 345–6.

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All the electors were Federalists. They met on the first Wednesday in February at the Boston state house, and cast ten votes each for Washington and Adams. The electors had their ballots prepared before meeting; they quickly organized, voted, and adjourned. The Worcester *Spy* reports: "There was not a word spoken, except in the choice of chairman."[1]

The Maryland legislature passed a law, December 22, ordering the election of electors and representatives by a popular vote.[2] The electors were to be chosen on a general ticket. Five were alloted to the Western Shore and three to the Eastern. For choosing representatives the State was divided into six districts. A representative must reside in his district; but each voter could vote for six candidates, or in other words for the general ticket. The election was free, and the voting viva voce, a common method at this time. It took place early in January, 1789, and lasted about five days, the number of days being fixed by law.

Probably the elections caused more excitement in Maryland than elsewhere.[3] The campaign was marked by public meetings, published addresses, reciprocal accusations of fraud between the parties, and a general canvass of country as well as town. Both Federalists and Anti-Federalists had a ticket. Some insight into the manner of conducting the campaign and the voting may be gained from the following contemporary account. The Baltimore *Journal* of January 13, 1789, says that the election of representatives

[1] Stanwood, *History of Presidency*, 28.

[2] Scharf, *History of Maryland*, II, 547–8.

[3] McMaster, *History of the People of the United States*, I, 526.

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and electors "was finally to establish the political character of the citizens of Baltimore; and therefore both parties exerted their utmost power to carry the characters they set up. A very respectable committee of this place addressed the Federals and called on them to support the Federal ticket, in which Mr. William Smith, Esq., of this town—a genuine Federal, a merchant of the first reputation, of an independent fortune and considerable family connextions, was named for this district, and against whom the Anti-Federalists opposed Mr. Samuel Sterett, a young gentleman of fair character and respectable connexion. The contest lasted four days (almost the whole time allowed by law), and the Federals were crowned by conquest—Mr. Smith having, at the close of the polls, a majority of seven votes. Thus our beloved Constitution was triumphant over its base enemies, and the trump of Federalism drowned the expiring cries of the Anti-Federalists in this town."[1] The tide of Federalism in Baltimore, as elsewhere, was running high. But as was true here, the party often won by a small majority. The political control which the Federalist leaders in Baltimore exercised over the rank and file may be seen in the words: "A very respectable committee of this place addressed the Federals and called on them to support the Federal ticket."

A graphic picture of the election days is contained in a letter written by a German farmer in Western Maryland to a gentleman in Baltimore. He says: "We had pain when we heard of the people in your district, that they were wrong, and we thought it right to call the friends of the

[1] Scharf, *History of Maryland*, II, 548.

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new government to give in their votes at the court house, and so made out so many as 1,164 for the Federal ticket, and no man said against it. The last day you would wonder to see so much people together, two or three thousand, may be, and not one 'anti.' An ox roasted whole, hoof and horn, was divided into morsels, and every one would taste a bit. How foolish people are when so many are together and all good natured! They were so happy to get a piece of Federal ox as ever superstitious Christians or anti-Christians were to get relics from Jerusalem."[1] This occasion was more social and festive than are election days now.

In Maryland twenty-two men were voted for as electors. The eight men receiving the most votes were elected, and were all Federalists. One elector apparently received every vote cast, the total number of votes being, about 7,656; another fell less than one hundred votes behind the first. The Federalist candidates, where the party lines were drawn, received about 5,500 votes, and the Anti-Federalist, 2,200, the Federalist majority being therefore about 3,300. The strength of the Anti-Federalists came almost entirely from Baltimore and Annapolis and the adjacent counties of Harford, Baltimore, Anne Arundel, and Prince George. To the west of the Blue Ridge there were no Anti-Federalist votes. In the two westernmost counties, Washington and Frederick, which cast one-fourth of the vote of the State, the unpopular party found but two supporters. The Eastern Shore was overwhelmingly Federalist; in four counties but three opposing votes were cast.[2] The Anti-Federalist

[1] Scharf, *History of Maryland*, II, 548.

[2] *Idem*, 549–60.

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vote in Maryland represents the personal following of a few leaders rather than opposition to the Constitution.[1] The Federalist complexion of Western Maryland may be attributed to its fertile soil, commercial connections, prosperous conditions, and German population.

The proper method of electing senators was much discussed by the Maryland legislature. Finally the two houses agreed to elect by a joint ballot; no person, however, should be chosen, "unless by a majority of the attending members of both houses." It was also agreed that the senators should be divided between the Eastern and Western Shore. Each Shore nominated two candidates. John Henry of the Eastern Shore was chosen on the second ballot, and Charles Carroll on the third. Carroll was a rich Roman Catholic, and became the last surviving Signer. Maryland was represented in the first Congress by Federalists. Only six of the State's eight electors voted on February 4. One was prevented by the ice in the rivers, and the other was kept at home by the gout. The six gave their suffrages for Vice-President to Robert H. Harrison, a Maryland jurist, and a "favorite son."

The elections in the States in which the legislatures chose the electors will be next considered. Early in January, 1789, the legislature of Connecticut appointed this State's seven electors, thinking that a selection made in this manner would more likely "be exercised with judgment and discretion," than it would be if left to the people.[2] In October,

[1] Libby, *Distribution of Vote on the Federal Constitution*, in *Bulletin of the University of Wisconsin*, 32.

[2] Sparks, *Correspondence of Eminent Men*, IV, 238.

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1788, the legislature agreed on a method of choosing representatives, according to which the electorate voted for a list of candidates three times as numerous as the number of representatives to be chosen. The names of the successful ones were then published, and some weeks later at a second election the required one-third was voted for. A third election might be necessary, as it took a majority to elect. This was the method that Connecticut followed in choosing Assistants.[1] The venerable Roger Sherman headed the congressional delegation from this State. He had signed the famous Declaration, and had been a member of the Federal Convention. Jonathan Trumbull was also elected representative, and became a candidate for Speaker of the first House, receiving a "respectable vote."[2] Five of Connecticut's seven members in the first Congress were college graduates—all were Federalists.

Connecticut was represented in the first Senate by Oliver Ellsworth, who later became Chief Justice of the United States, and by William S. Johnson, sometime president of Columbia College. Both men had been influential members of the Federal Convention. For Vice-President the State gave Adams five votes and Samuel Huntington two. The votes cast for Huntington had been taken from Adams at the suggestion of Alexander Hamilton, who was fearful lest Adams should have more votes than Washington and thus defeat him.[3] Adams never forgave Hamilton for this and impugned his motives in it.

[1] *Statutes of Connecticut*, Edition of 1796, 154.

[2] *Letters and Writings of Madison*, I, 461.

[3] *Works of John Adams*, I, 445; Stanwood, *History of Presidency*, 27.

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Delaware made provision for the election of her representative probably in October, certainly not later than October 28.[1] The legislature chose the electors. This State gave its three votes to John Jay for Vice-President. The first senators were George Read, one of the Signers, and Richard Bassett; both men had been members of the Federal Convention. Delaware's three members in the first Congress were Federalists.

South Carolina's act is dated, November 4, 1788.[2] It vested the appointment of electors in the legislature, and prescribed the oath of office. For choosing representatives the State was divided into five districts. The elections were to be held at the same time and places and conducted in the same manner, as the elections to the lower house in the State. The Governor and Council were authorized to examine the returns and ascertain who were elected; and in case of a vacancy the Governor was to order a new election. The Anti-Federalists were successful in the upland districts. The congressional delegation stood two for the Constitution and two against it, with the party preferences of the fifth member, Thoms Tudor Tucker, in doubt.[3] The Charleston district was represented by Wm. Smith, a Federalist. David Ramsay of South Carolina, the historian of the Revolution, in a petition to the House, which was presented, April 15, 1789, challenged Smith's right to his office on the ground that he was ineligible by reason of his long absence abroad. The consideration of this petition was the initial work of the

[1] Booth, *Laws of Delaware*, II, 931–2.

[2] Cooper, *Statutes of South Carolina*, 584.

[3] King, *Rufus King*, I, 359.

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first committee on elections of the House. In the end Smith was seated, one vote only being against him.[1] Pierce Butler, member of the Federal Convention, and Ralph Izard, who had been in the diplomatic service, were made senators. Both men were Federalists. South Carolina gave John Hancock one vote for Vice-President and John Rutledge six.

The legislature of Georgia met somewhat earlier than usual, November 4, to make arrangements for the federal elections.[2] This State appointed its five electors, and chose its congressmen on a general ticket. William Few, the leading senator, and Abraham Baldwin, the most able of the State's three representatives, had been members of the Federal Convention. The other senator was James Gunn. Georgia was represented in the first Congress by Federalists.[3] This State scattered its vote for Vice-President among four candidates. General Lincoln was the only one so complimented who had a continental reputation, the other three being "favorite sons."

New Jersey chose her six electors through the legislature and elected her four representatives on a general ticket. The election was held for the most part in February and March, 1789. There were two tickets, known as the eastern and the western, taking their names from the sections where their supporters were massed.[4] The western ticket was successful, but under circumstances that gave ground

[1] *Annals*, 1st Congress, 1789–1791, 143, 168, 231, 329, 397, 408.

[2] Stevens, *History of Georgia*, II, 388–9.

[3] *Letters and Writings of Madison*, I, 451.

[4] Sparks, *Correspondence of Eminent Men*, IV, 453.

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for mutual accusations of injustice. On March 18 the votes of twelve counties were counted by the Governor and his Council, and the four men having the most votes were declared elected.[1] The remaining county, Essex, continued to hold open the polls—the New Jersey law being silent as to the length of the election—until they were closed on April 27 by a proclamation of the Governor. Both the Governor and the people of Essex county had acted irregularly; the one in determining the result of the election before all the votes were in, and the other in not closing the polls at a proper time. Petitions for and against the validity of the election were sent to the House of Representatives, which body referred them, April and May, 1789, to the committee on elections. After full consideration of the matter the House, on September 2, found the four congressmen "duly elected." Most talented of the four was Elias Boudinot, of Huguenot descent, and a former president of the Continental Congress. All were Federalists. The first senators were Jonathan Elmer, and William Paterson, the latter a most influential member of the Federal Convention; both were Federalists. For Vice-President New Jersey gave John Jay five votes, and Adams, one. The defection from Adams has been attributed to the influence of Hamilton.

In New York, Governor Clinton issued a proclamation on October 13 assembling the legislature at an earlier date than usual—December 8.[2] In his annual address he said nothing

[1] *Annals*, 1st Congress, 1789–1791, 213, 231, 396, 409, 637–8, 756–7, 835. *Letters and Writings of Madison*, I, 453–4.

[2] Hammond, *History of Political Parties in New York*, I, 34–7; Jenkins, *History of Political Parties in New York*, 34.

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about putting the Constitution into operation—one indication of the apathy with which it was regarded in New York. On first assembling the Anti-Federalists were chiefly interested in calling a new convention to revise the Constitution. Sometime in December the Senate passed bills for choosing electors and senators by a concurrent vote, and a few days later the Assembly provided for their election by joint ballot. Neither party would accept the other's work. Each naturally favored the method which was most to its own interest. The Anti-Federalists, who had a decided ascendency in the Assembly could carry all on a joint vote, and the Federalist Senate by insisting on a concurrent vote could create a deadlock, and then bargain for one half of the offices as the price for breaking it. A prolonged wrangle ensued. The Federalists offered to compromise on the basis of each house naming a senator and one half of the electors, but the other side refused.[1] The legislature adjourned without action, and New York was unrepresented in her first electoral college. This is the first instance where a legislature failed to elect senators because of party animosities. Towards the close of the first session of Congress, July, 1789, New York elected senators by a concurrent vote of the two houses. Philip Schuyler was first agreed upon. For second choice the two houses finally united on Rufus King, each having in turn at first rejected him.[2] King had lately come to New York from Massachusetts, which State he had represented in the Federal Convention. The two

[1] Hamilton, *Alexander Hamilton*, I, 488; McMaster, *History of the People of the United States*, I, 525.

[2] King, *Rufus King*, I, 354.

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senators were Federalists, that party having obtained control of the legislature in a recent State election.

New York had less trouble in choosing representatives. It passed an act, January 27, 1789, which divided the State into six districts.[1] Beginning with the first Tuesday in March an election for representatives, about five days in length, was held—choice being made by a plurality vote. The electors must possess a freehold of twenty pounds, or rent a tenement of the yearly value of forty shillings, except in New York and Albany where such property qualifications were not necessary. The methods of election were so slow that the result seems not to have been known until April. George Bancroft says the Federalists were successful in four districts out of six.[2] Their strength lay in New York city and the southern counties, and that of their opponents in the northern and western counties.

North Carolina ratified the Constitution, November 21, 1789, and at once passed a law for the election of senators and representatives.[3] The State was divided into five congressional "divisions," each of which was composed of two superior court districts. A representative must have resided in his "division" one year. The manner of holding the election was the same as for members of the General Assembly, and the time was the first Friday in February, 1790. Benjamin Hawkins and Samuel Johnston were chosen senators on a joint ballot and by a majority vote.

[1] Cook, *Laws of New York*, 1789–96, 12.

[2] Bancroft, *History of the United States*, VI, 467.

[3] Iredell, *Laws of North Carolina*, 1791, 661–63; Moore, *History of North Carolina*, I, 396.

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Rhode Island having ratified the Constitution, May, 1790, at once provided for her first federal elections.[1] The senators were chosen by the General Assembly "joined in a grand committee, and not in separate houses, and by ballot and not otherwise." An election of a representative was ordered by the legislature to be held by the town meetings on the last Tuesday in August, 1790. Returns were to be sent to the legislature, which should determine whether any one had obtained a majority, and in case no one had so many votes, it should order another election on the tenth day succeeding the count. In this election choice was made between those the whole number of whose votes in the preceding election constituted a majority. And if again no election resulted, a third election was held to choose between the two that stood highest in the second. Theodore Foster and Joseph Stanton, Jr., whose names have long been forgotten outside of their own State, were the first senators.

There was a well nigh universal demand that Washington should be the first President. The people, the press, and the political leaders gave voice to this almost universal feeling. In New York there seems to have been, however, some objection to so strong a Federalist as Washington. It is said that the opponents to the Constitution had agreed to unite on someone other than Washington, probably on George Clinton. Mr. J. C. Hamilton in his Life of Alexander Hamilton says that Franklin's fitness for the office was canvassed in New York.[2] In August, 1788, it was

[1] *Records of Rhode Island*, X, 385–6.

[2] Stanwood, *History of Presidency*, 26.

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rumored in Massachusetts that Hancock was aiming at the presidency.[1]

Since the President was to be a southern man, the justice of giving the North the Vice-President was generally recognized. Pennsylvania had no candidate. Hamilton was the most distinguished Federalist in New York, but was ineligible on account of his youth and his nativity, not to speak of other disqualifications. John Jay was favorably mentioned for the position. The Anti-Federalists brought forward George Clinton. On November 4, 1788, the leaders of this party in New York, calling themselves "Federal Republicans," and moved by a desire to promote the immediate amending of the Constitution, addressed a circular letter to the several States in behalf of George Clinton for Vice-President.[2] Some Virginia sympathizers, including Patrick Henry, had already pronounced in his favor. No other movement of equal extent was made during the first campaign to concert the action of the States. The failure of New York to choose electors completely disconcerted the plans of Clinton's friends. The lesser New England States having no candidates, choice was narrowed to Massachusetts' "favorite sons." Hamilton at first suggested Knox or Lincoln, but later favored Adams. Trumbull of Connecticut named Bowdoin.[3] The claims of Samuel Adams and John Hancock were considered.[4] In the end the Federalists in a general way united on John Adams as being the most available and

[1] King, *Rufus King*, I, 343.

[2] Leake, *John Lamb*, 325–6.

[3] Sparks, *Correspondence of Eminent Men*, IV, 239.

[4] *Letters and Writings of Madison*, I, 437.

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worthy. Several States, however, preferred their "favorite sons" to Adams.

The thirteen original States were entitled under the Constitution, which made a somewhat arbitrary apportionment until the first census should be taken, to sixty-five representatives, twenty-six senators, and ninety-one electoral votes. By the failure of North Carolina and Rhode Island to promptly adopt the Constitution, and of New York to appoint electors, the number of electors was reduced to seventy-three. It was further diminished to sixty-nine by the absence on the day of voting of two electors each in Maryland and Virginia. Before the adoption of the twelfth amendment, the electors voted for two candidates; the person who received the most votes, if a majority of all the electors appointed, was elected President, and the person who stood second became Vice-President. Washington received the full strength of the electoral colleges. The other sixty-nine votes were divided among various candidates as follows: John Adams, 34; John Jay, 9; John Rutledge, 6; Robert H. Harrison, 6; John Hancock, 4; George Clinton, 3; Samuel Huntington, 2; John Milton, 2; James Armstrong, 1; Edward Telfair, 1; and Benjamin Lincoln, 1.[1] The deflection from Adams of five votes in New Jersey, and of two each in Connecticut and Virginia has been attributed to the fears of the electors lest Washington should be defeated.

The first elections resulted in a distinct victory for the Federalists. Their success in the fight over the adoption of the Constitution, and the immediate subsidence of party spirit, which followed the close of that contest, gave them a

[1] *Annals*, 1st Congress, 1789–1791, 17.

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decided advantage. The Anti-Federalists were left in most States without a well-defined issue. It was a period of transition in our party history. Now that the Constitution was assured there was a growing disposition, though by no means a unanimous one, to give it a fair trial. The Federalist leaders were, consequently, quite generally able to manipulate the elections, finding most trouble in New York and Virginia. Neither the electoral vote of Washington nor of Adams furnishes a measure of the relative strength of the two parties. Washington's candidacy was not partisan, but national, and Adams' vote was cut down through fear that it would exceed that of the head of the ticket, and by the pressure of local sentiment in behalf of "favorite sons." A better test is the complexion of the first House of Representatives, which contained ten Anti-Federalists, distributed among the States as follows: Massachusetts, one; New York, two; Virginia, three; North Carolina, two; and South Carolina, two. It is barely possible that fuller information may add to this number, but not more than four at most. The number of Federalists reduces to about fifty-five. There were but two avowed Anti-Federalists in the Senate.

The members of the first Congress were generally moderate men. Candidates of the type of Hamilton or Henry did not run well. Already, availability, inoffensive partisanship, and a fairly neutral record were elements of successful candidacy. The absence of the well known leaders of both parties is quite conspicuous. A few may have declined the honor. Charles Pinckney says he might have been senator from South Carolina, but did not desire the position.[1] The absence of such men as the Pinckneys, Ham-

[1] King, *Rufus King*, I, 359.

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ilton, and Samuel Adams dimmed the brilliancy of the first Congress, but probably lessened little its capacity for effective service. It contained many men of talent, character, and wide legislative experience. Fisher Ames said of the House soon after entering it: "There are few shining geniuses, there are many who have experience, the virtues of the heart, and the habits of business."[1] He thought the Senate a "very respectable body."

Rarely, if ever, has Congress been composed of men who were possessed with so large and varied experience in legislation and the construction of constitutions. Remembering that 26 senators and 65 representatives were elected to the first Congress, 13 senators and 9 representatives had been members of the Federal Convention.[2] The relatively low number of representatives is significant in its showing that membership in the "immortal convention" was no especial recommendation to "the people." There were 18 senators and 36 representatives who had been in the Continental Congress. Twenty-one senators had had experience in one or the other, or both of these federal bodies. There were 18 senators and 39 representatives who had served in State legislatures. As many as 25 senators and 52 representatives had been members of either the Federal Convention, the Continental Congress, or a State legislature. In addition to seeing service in these bodies, many members had taken part in State constitutional conventions.

The first Congress makes a very favorable showing in the

[1] Ames, *Fisher Ames*, I, 33.

[2] For the most perfect list of members see Jameson's *Dictionary of United States History*, 163.

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amount of college training which its members had received.[1] There were 11 senators and 19 representatives who were graduates of colleges, and in addition to these, 12 senators and 19 representatives who had had more or less of academic training. Harvard was represented in the Senate by four graduates; Princeton, three; Yale, one; Oxford, one; and Cambridge, one. Nine of the representatives were graduates of Harvard; three, Yale; and three, Princeton. A comparison of the first Congress with the fifty-seventh[2] as regards the number of college graduates in each is interesting and curious, but may not prove very enlightening because of the uncertainty as to the content of different college curriculums. In the first Senate 42 per cent of the members, and in the last 35 per cent were graduates of colleges. The percentages in each of the two houses figures out the same, 29. In the fifty-seventh Congress twenty-one members had attended Yale, to eleven, Harvard, apparently indicating a reversal of the relative weight of the two colleges in the legislative halls of the nation.

In the first elections the voting was either viva voce or by ballot, both methods being common at this time.[3] Maryland and Virginia voted viva voce; and New York, New Jersey, Pennsylvania, and North Carolina used the ballot. The court house was a favorite voting place in the South, and the town house in New England. In South Carolina the parish church was much used. Polling places were com-

[1] Appleton, *Cyclopedia of American Biography*. No member is counted as a graduate unless so recorded, no matter if the total number of years of his college training exceeds four.

[2] *Congressional Directory* for Fifty-seventh Congress.

[3] *American Historical Review*, Schouler, 665–674; Lalor, *Cyclopedia*, I, 198.

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paratively few, in some States only one to a county.[1] The distance which a voter travelled and the time he therefore consumed in voting were several times the present requirements. Colonel Timothy Pickering writing from Luzerne County, Pennsylvania, January, 1789, says: "The citizens of Philadelphia would hardly travel from five to one hundred miles to attend any election whatever. But the people of this county must do it, or our elections will be small."[2] As only five States chose electors by the people, there is no total popular vote for the first presidential election. The figures for the vote in the first congressional election are scattering. An estimate of the total vote based upon such statistics as are accessible may be ventured. The number of voters in Maryland was 7,784 which number is 3.6 per cent of 217,000, the free population of the State according to the census of 1790. If the same ratio held in all the States the total vote would be 116,000. Let us compare these figures with recent ones. In the presidential election of 1880 the ratio of population to voters was 18.6, (total population,[3] 49,400,000, total vote, 9,200,000), or a little more than five times that in Maryland. The percentage for New Hampshire in the congressional election of 1788 is the same as for Maryland—3.6 (free population 142,000; voters, 5,126.)[4] The percentage in Massachusetts is 3, (free population, 379,000; voters, 11,460); and in Pennsylvania, leaving out Fayette county, 3.5.[5] The large increase in the relative

[1] For fuller treatment of the voting unit, see G. D. Luetscher, *Early Political Machinery in United States.*

[2] Upham, *Timothy Pickering*, II, 426.

[3] Hart, *Practical Essays on American Government*, 24, 30, 34.

[4] New Hampshire, *State Papers*, XXI, 433.

[5] *Pennsylvania Packet*, January 1, January 20, 1789.

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numbers of voters that has taken place in the last century is ascribable to the popularization of the suffrage, to the wider interest in politics now taken by the electorate, to the improved facilities for getting to and from the polls, and to the large increase in the number of the polling places.

Additional light on the vote in the first congressional election is cast by statistics of other elections occurring about the same time. The electoral vote in New Hampshire[1] in 1788 was 4,028, or 2.8 per cent of the State's free population. In Madison's electoral district the number of voters was 1,290 which number is 2.7 per cent of 47,000, the total white population of the district.[2] The vote in Pennsylvania for delegates to the convention which adopted the Constitution was 3 per cent of the free population; that in a State election of 1790, 6.9 per cent.[3] Princess Anne county, Virginia, in the congressional election, (the one whose vote we are trying to ascertain) January, 1789, cast 272 votes, which number is 6 per cent of the total white inhabitants of the county.[4] The vote for the Governor of New York in 1789 was 3.9 per cent of the free population of the State;[5] at the same election in New York city the ratio was 9.4. During the years, 1780–1789, 3 per cent of Massachusetts' population voted in the State elections.[6] From these figures the total vote in the first congressional election may be estimated at from 75,000 to 125,000, or from three to three and one-half per cent of the free population, (3,200,00).

[1] New Hampshire, *State Papers*, XXI, 437.

[2] *Letters and Writings of Madison*, I, 449.

[3] Scharf and Westcott, *History of Philadelphia*, I, 458, 463.

[4] Notes of Professor Jameson.

[5] Hammond, *History of Political Parties of New York*, I, 41.

[6] *New England Magazine*, Jameson, *Did the Fathers Vote*, 1890, 488.

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There was little popular interest in the first elections. What Colonel Timothy Pickering said of the people of Luzerne county, Pennsylvania, in general is true of the rural population of all the States: "They know little about the new government, and of course felt little interest in the election."[1] In Virginia it was reported that not more than one-half and in some counties not more than one-fifth of the people voted for electors.[2] The electorate, which generally speaking was based on the possession of a freehold, the poorer classes being therefore excluded, was on the whole indifferent. The voting was done chiefly by a small minority of interested property holders, a disproportionate share of whom in the northern States resided in the towns, and the wealthier and more talented of whom like a close corporation controlled the politics.

Some Pennsylvania statistics furnish a basis for an estimate of the ratio of the number of actual voters to the electorate in that State. The congressional vote of 1788 in Pennsylvania was about 15,000. A contemporary authority thinks that about 70,000 freemen in the State were entitled to vote.[3] The ratio of voters to electorate was probably therefore roughly that of 15,000 to 70,000. In other words in 1788 no more than one-fourth of the eligible voters of Pennsylvania cast their ballots. It is interesting to compare this ratio with that of the presidential election of 1880, when the number of voters in the United States was five-

[1] Upham, *Timothy Pickering*, II, 426.

[2] *Pennsylvania Packet*, February 10, 1789.

[3] McMaster and Stone, *Pennsylvania and the Federal Constitution*, 460. This estimate, which is probably high, was made by the dissenting minority in the Pennsylvania Convention which adopted the Constitution.

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sixths of the electorate. It seems then that the American people at the close of the nineteenth century exercised more frequently their privilege of voting, especially at federal elections, and took a deeper interest in political affairs, than did the Fathers at the close of the eighteenth. In these facts may be seen some of the effects of a century of popular education and democratization.

C. O. Paullin

Chicago, Illinois

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SOME IOWA MOUNDS

AN ANTHROPOLOGICAL SURVEY

INTRODUCTION

Human life is always interesting—if you are interested. You may be a banker, a trust-magnate, a railroad president, a king, a factory superintendent, a politician, a preacher, a teacher, a lover, or simply an anthropologist; yet the interest is concentrated and strong. And this is true, near or far, living or dead, known or would be known.

Under the influence of that spirit which we call "Science," all these varying attitudes have been greatly enhanced and improved. And *everything*—not only human life—has become an object of scientific inquiry. And wherever the method has been applied the results have justified the labor. It has come about that nothing is too minute or vast, too remote or far, but that it is still within the pale of scientific claim. And if this is true in the realm of space or extension, it is just as true in the sequences of time or duration. Time was when men thought time began with man, when so-called knowledge was limited to the supposed period of human existence or history. For somewhat more than a century this notion has been set aside, and in the Astronomy, Geology, and Biology of our day we have a previously unknown devotion to things long antedating man. This attitude is in love with the fire mist, the molten earth, the first amorphous protoplasmic life. Not more and not less is the

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passion of interest in following the career of that life through the eons of its experience.

Latest in that scale of wondrous development came man. Latest in the order of his systematizing his supposed knowledge of the separate realms came Anthropology. Only in the yesterday of his existence, did his curiosity concerning the origin and evolution of his kind become aroused. And even in the to-day of his interest, this inquiring tendency has not reached the stage of reverence. A coarse and ruthless overhauling of the remains of his fellows of former ages is about as far as he has developed in the understanding of human progress. To the average man the remains of former times are a boodle-box into which he may thrust the spade of curiosity whenever his fancy may be filled with an exuberance of energy.

To make a little contribution toward the betterment of this condition (now so deplorable by its contrast with the magnificent progress of science in various other realms), the writer undertook the survey of the prehistoric earth-works of a small region up and down the Iowa River, in the hope of making more widely known the numerous sources of information concerning our prehistoric predecessors in this fair State. It is the object of this paper to give a simple account of some vacation observations, and to have the cumulative effect result in an appeal to the reader's earnestness in helping to forward science in its attempt to extend and advance knowledge of mankind. I wish to gratefully acknowledge the interest taken in this little labor by the State Historical Society of Iowa, and to most appreciatively refer to the great help resulting from their vote of confidence

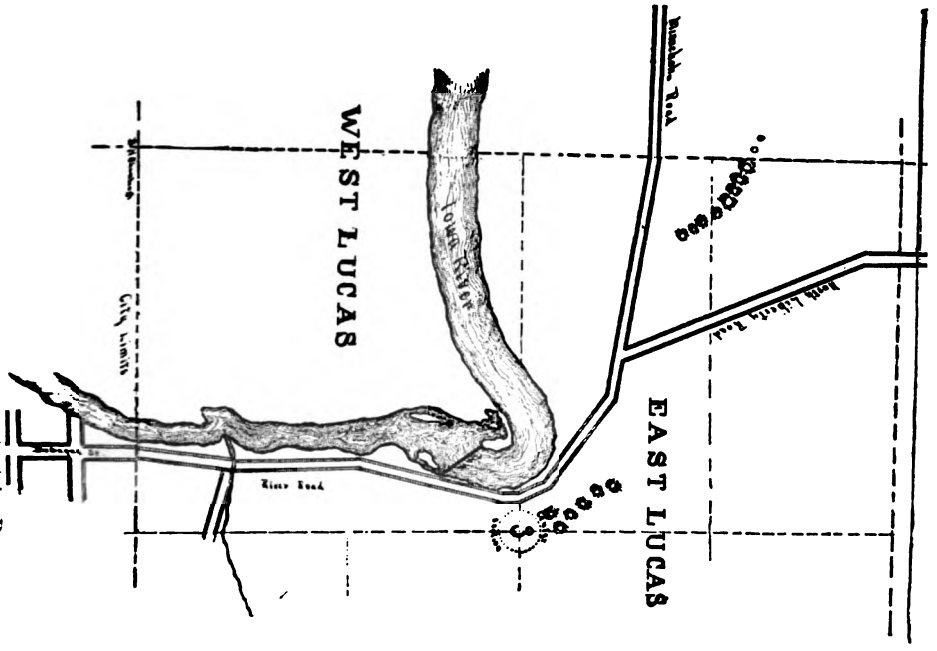
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and their passport letter authorizing that the work be done under their auspices. The mention of this fact and of the name of its honorable President has been an "open-sesame" to me at every farmer's gate, wherever I have halted my horse or desired to make a survey.

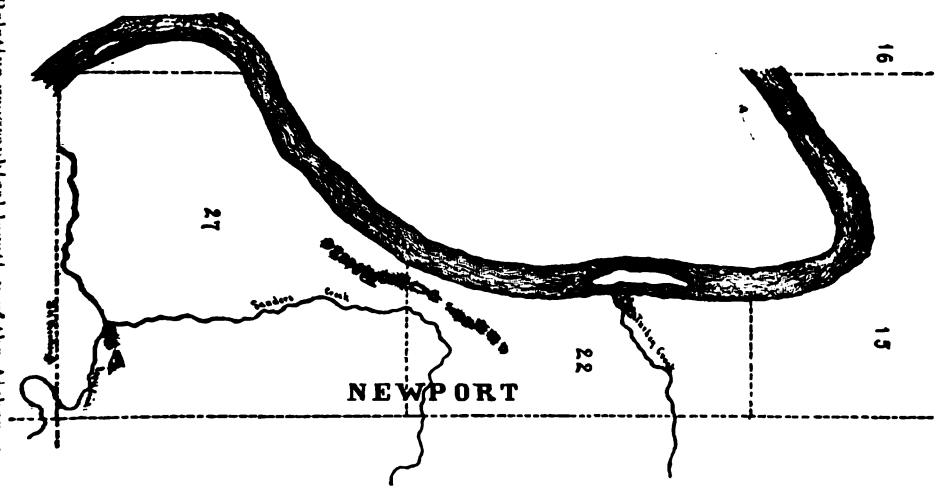
THE QUEST FOR MOUNDS

Who has not heard of the Mound Builders? Who knows who they were, when they lived, what their stage of evolution, where they went, what they made mounds for? To make a few accurate notes, to prepare for later inevitable comparisons, to help lay out the ground, and to assemble some of the data for a later Iowa Ethnology, I determined to spend the past summer in repeated picnics to that most interesting part of the Iowa River marked by the moraine of the Iowan Glacier. From the points of view of Landscape Artist, of Geologist, and of Botanist, a more satisfactory choice would have been hard to find. It soon developed that there were others. The evidence steadily multiplied that men had been there ages ago. To discover the point of view of their interest became the point of view of my interest. The Archæologist was hunting the hunter. The trail, after two hundred or two thousand years, was not "fresh." A blood hound would have been useless. On many an occasion did we ask the resident farmer to put us on the scent, but nearly always he knew nothing of our game. One man with only a hundred acres to care for said, by way of excusing himself for not knowing anything about what we insisted upon was probably in his woods:

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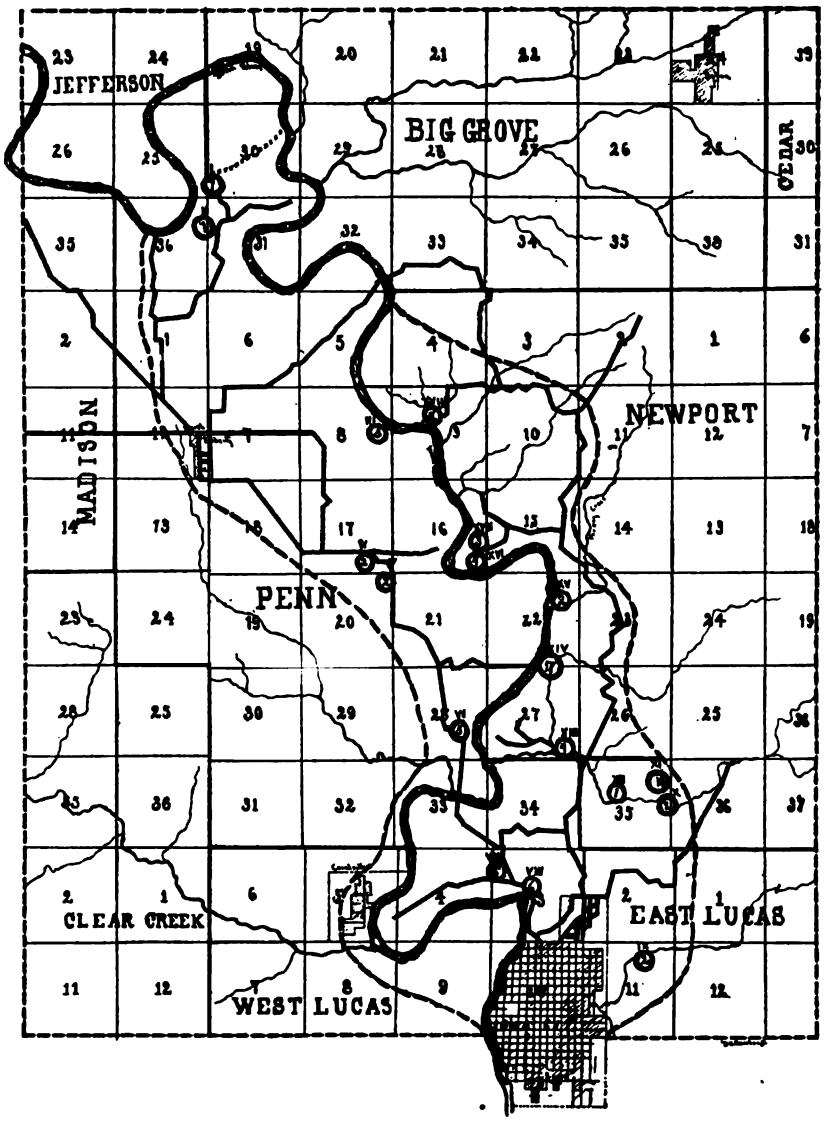
Relative geographical location of the Hinrichs-Burger and the Terrell Mill groups. Sec. 19, 80, 6E.



Relative geographical location of the Archer group— Sec. 9, 81.

These two maps are intended to suggest the location of several groups of mounds with respect to, overlooking, and commanding a view of the Iowa River.

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The region surveyed and the groups of mounds discovered therein are indicated on this map. The region is all within Johnson County, Iowa. It contains 18 groups and 91 mounds.

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"Well, I don't know; I've only been here three years; may be; but I'm sure I never saw any mountains on my place."

Sometimes, however, we did meet a man who knew that on his or his neighbor's farm, on some far off hill or in the woods, there are now or had been some curious little hills or elevations. Nearly always followed the story that, "Some fellow;—let's see, I forgot his name, came out here—yes, there were two of them, and they dug into them. I don't know what they were after, and don't know whether they got anything or not. Some say they think these places were heaped up by the Indians and some think it's only the place where big trees fell and rotted. I don't know. You can't prove it by me."

All this valuable information we received a score of times with monotonous likeness. In only two cases did we find a man able to tell even the number of mounds on his place.

The region we have traversed is that between Iowa City and the Big Bend (Scales' Bend) of the Iowa River, on each bank to the distance of one to two miles. The whole territory NNW does not exceed eleven miles in direct line, or fourteen by roadway. It includes an account of eighteen groups of mounds, varying in numbers from one to seventeen in a group. (See map.) The work is but a small fraction of what should be done. It is at most but a quarter of the survey of one county. Former investigation of the literature of the subject shows that thirty-five counties in Iowa possess earthwork remains of prehistoric races.[1]

[1] The result is one of coöperation. It has involved many trips on which the writer has been accompanied and aided by various interested parsons—Mr. Leroy Elliott, Mr. D. W. Woods, Prof. T. J. Fitzpatrick, Prof. B. F. Shambaugh, Mrs. L. C. Ward, and Mrs. B. H. Shambaugh. Mrs. Shambaugh has drawn the maps to scale from data taken in the field.

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I. BIG BEND GROUP

In the north part of Penn Township, at the big bend of the Iowa River, in section 30, southwest quarter of the southwest quarter, there is still extant a group of 7 mounds, located mostly within the school house grounds. They have been but little tampered with and would make an excellent group for careful study. The preparation of their site for use as school yard has no doubt leveled them down to a third or a half of their former height. (See map of group and school yard.)

1. Number 1 measures 29 by 27 by 2 feet.[1] It remains unopened, and on it there once grew a white oak whose stump measures 10 inches and a red oak which has left a 12 inch stump behind.

2. WSW, 21 yards (from the outer edge), is another whose present measurements are 23 by 40 by 2. This has probably been slightly opened.

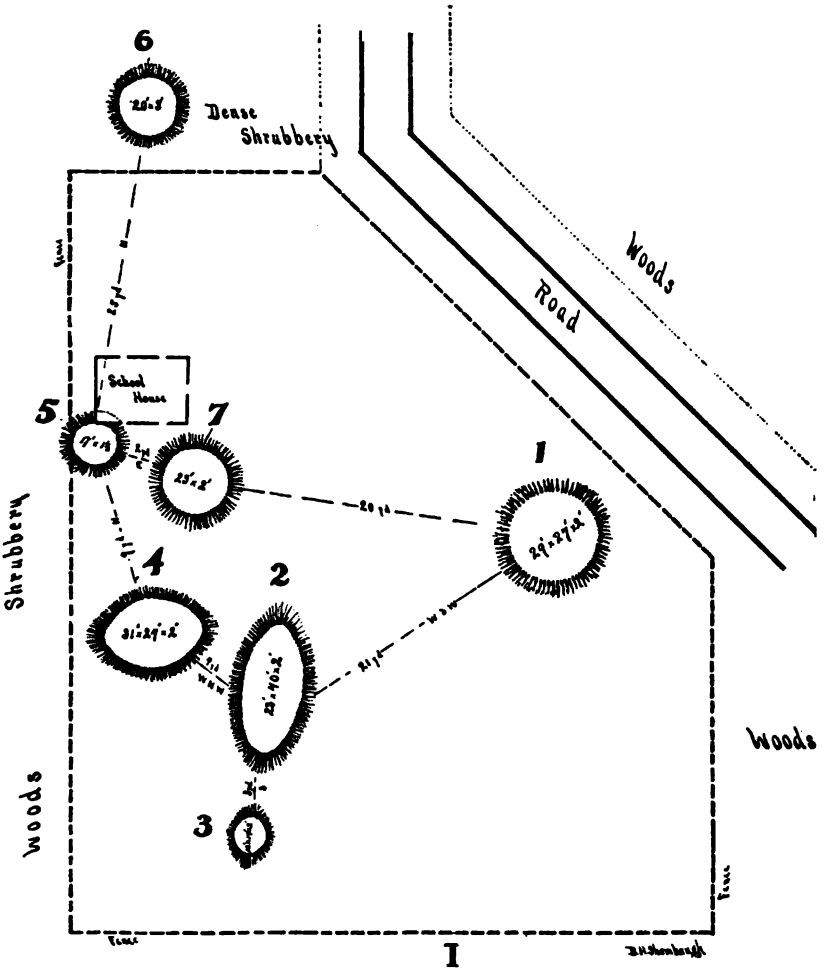
3. S, 3 yards, appears to have been a mound which may now measure 14 by 12 by 1. On it are two stumps, one red oak 11 inches through, and one hickory 9 inches.

4. WNW, 4 yards, is a mound 24 by 31 by 2.

5. N, 9 yards, is a remnant of a mound which indicates 17 by 1½. The southwest corner of the school house occupies a portion of the former dimensions of this mound. On it is also an 11 inch red oak stump, which shows 45 rings, although cut some years ago. There also once grew a hickory

[1] The first diameter is the one in the direction of the line of the group or toward the next mound. The next is the diameter at right angles to the first. The last number is the height. These are always given in feet. Other distances are given in yards or miles.

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BIG BEND GROUP

PENN TOWNSHIP

SEC. 30

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tree 6 inches in diameter. This mound extends 2 feet beyond the school yard fence to the W.

6. N, 25 yards, with the west end of the school house between and also the cistern, fence, and ash house, is a mound 20 by 3. On it are stumps 6 and 8 inches in diameter and a dense growth of shrubs. Between the school house and this mound is a rounded ridge which may once have been a long mound.

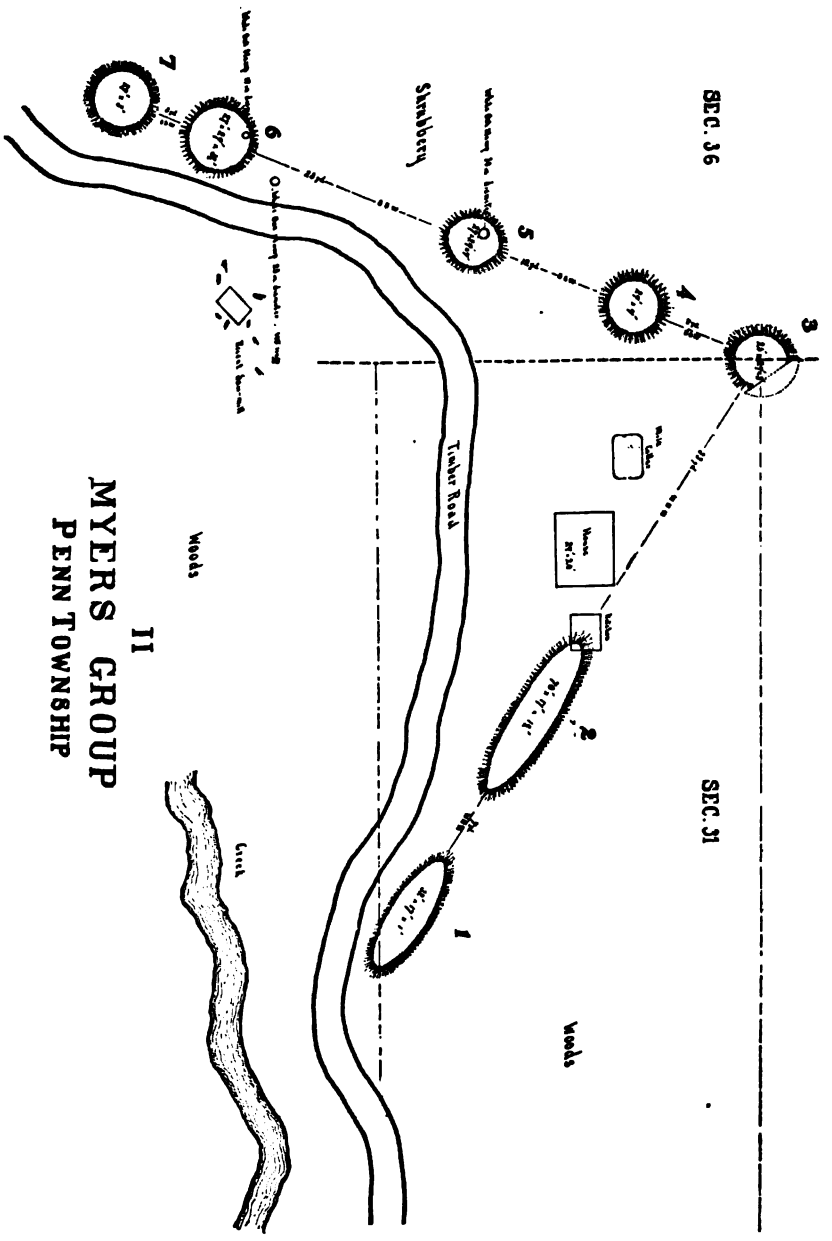
7. E, 2 yards, from number 5 and 20 yards NW of number 1 is an indistinct mound 23 by 2. It has been opened, or at least more or less cut away in excavating for the site of the school house. The direct line between numbers 1 and 6 is parallel with the road running past the school yard. (See map.)

This group of mounds is remarkable for the peculiar plot or arrangement of the mounds with reference to each other. It is located on a rather less sightly position than most of the others described. Number 2 may possibly have been a tent-site (tepee bottom). The others were more probably made for sepulchral purposes.

II. MYERS GROUP

In the northwest quarter of the southwest quarter of the northwest quarter of section 31 in Penn Township, on property (one acre) now owned by James Beltz, formerly part of ten acres owned by J. W. Green, and further on, beyond the section line, in the northeast quarter of the southeast quarter of the northeast quarter of section 36, on property (35.8 acres) owned by Samuel Myers, is a group of 7 mounds. (See map.)

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II
MYERS GROUP
PENN TOWNSHIP

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1. Number 1 is partly on the road approaching Beltz' place, and near the southeast corner of his lot. It measures 52 by 17 by 1, extending nearly NW and SE. It may have been a large tepee bottom.

2. WNW, 7 yards, is a still larger one (possibly a tent site), 70 by 17 by 1½, extending in the same direction. The ground occupied by these has recently been cleared, but the whole clearing at this place covers only an acre.

3. NW, 33 yards, begins the first of a series of five splendid mounds. The first is 25 by 24 by 3. It is located exactly a quarter of a mile S of the section corners (31, 30, 25, 36). The section line passes through it, and the line of round mounds of which this is the first, now runs SSW. This one was opened many years ago, and recently one-third of it has been dug away, the clay being used for the making of an outside milk-house. This cut made an excellent opportunity for observing its material. Aside from a thin humus soil at the top, it consists of yellow loess, well defined to the bottom. The wire fence running southward passes over it.

4. SSW, 8 yards, is a large distinct mound 24 by 4. It is partly overgrown with berry bushes and other shrubs. Like all the others of this fine group, it has been thoughtlessly spoiled by being opened.

5. SSW, 12 yards, is a mound 27 by 24 by 4. On it are two red oak stumps, 10 and 12 inches respectively, and a very rotten white oak stump 30 inches in diameter.

6. SSW, 23 yards, is a still larger mound, 27 by 29 by 3½. On it is a hollow white oak stump 18 inches through, which has doubtless been dead a quarter of a century. 10 yards eastward is the stump of a recently cut white oak 23 inches in

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diameter, which distinctly shows 185 rings. By the simple "rule of three" we can approximately find a date before which these mounds must have been constructed. 23:18:: 185:x, and also 23:30::185:x. Finishing the computation, adding a requisite number of years since the felling of the trees, and taking into consideration the difficulties under which oaks in this region must have labored to reach such growth, we arrive at a conclusion that the builders of some of these mounds quit work more than two and a half centuries ago. It may, indeed, have been much more. This evidence is negative. It only serves to indicate a time since which they have not been built. How long a time elapsed after their construction and before the acorns sprouted from which these great oaks grew, we have not as yet the data for an inference.

7. SSW, 3 yards, from this we reach the last of the group. It is 27 by 3. On it is a red oak stump 8 inches through and a white oak 7 inches.

All these mounds have been excavated with no advantage to history or science. Rumors in the neighborhood relate that human bones, implements, and ornaments have been taken from them. In one instance these bones were described as those of a giant.

The Geology of the region intimates that at no very remote time a lagoon occupied a considerable space at the Big Bend, and this, with the numerous timber regions in the valleys of the tributaries of the Iowa River, points to excellent hunting and fishing. Here came herds of animals for water and pasture. Here rested the flocks of wild geese and ducks, here collected the fish in great schools, and here apparently settled the "Mound Builders" to hunt them all.

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III. AULT GROUP

In Penn Township, in the northeast quarter of the southeast quarter of section 8, on the farm of Joseph A. Ault (239.40 acres), there was once a group of 3 mounds. Mr. Ault settled upon this place in 1849. He observed the mounds at that time, and says that the one still extant has been considerably worn down by the grazing cattle.

1. The first one is located 5 yards north of the east and west line on the north side of Arthur Ault's place. It is crossed by a north and south wire fence, and lies partly in the pasture on the east and partly in the cornfield on the west side. It measures 26 by 28 by 2½ feet. It has been a fine specimen. Mr. Ault tried to preserve it, but was outwitted some two or three years ago. Some one came and opened it either at night or on a Sunday when he was away from home. He does not know who did it or what was found. If anything was found, it is lost to science; and whatever was left of an organic character hastens to decay, because of the water-catching depression made by the diggers.

2. WSW, 20 yards, in the cornfield, there once existed another of similar size. It still shows about a foot high, and the hard yellow clay betokens the spot.

3. WNW, 136 yards, in another adjoining cornfield is another spot which shows that another mound has met the same fate. Mr. Ault says that numbers 2 and 3 were once as large as number 1. He passed the remark, that if he had it to do over again, he would never have plowed them down, but would have preserved them with interest. He called our attention to the beautiful and wide-sweeping view from

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this hill-top. For a little over half of his long life of eighty-six years, he has enjoyed the prospect, W, S and E, from this commanding position.

IV. BANE GROUP

In the southwest quarter of the southeast quarter of section 17, Penn Township, 6 miles north of Iowa City, on land once owned by J. W. Bane, (now by Martin Koser) and 1¼ miles west of the Iowa River, there once existed 2 mounds on the high moraine, in what is now an open cultivated field. They are completely plowed away. Mr. Bane estimates them to have been 12 to 15 feet in diameter and 3 feet high. If they were of the type usually found in this vicinity, they may have been this large at the top and from 25 to 30 feet at the base. Mr. Bane was born in 1838, and has lived south and north of Iowa City (within six miles) for sixty-two years. In 1852, when plowing here, he unearthed bones of human hands or feet from these mounds. There stood near them 3 sturdy oaks which had weathered the breezes for long periods. One of these oaks still stands, a solitary monument, in the open field, on this high oval hill. The circumstances of its position, coupled with its size would indicate great age.

Mr. Bane has distinct recollections of the Indians of the eighteen-forties and fifties. They were the Sacs, Foxes, and Musquakies. As a child he played with their children, and his father and they were neighbors. He speaks well of them. They numbered in those days a hundred to one White man. He knew their customs, and says that they were not the "Mound Builders." Their dead were buried

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in shallow trenches, and were simply covered with elm and other barks. The relics of the "Mound Builders" were to them curiosities of former inhabitants. The first eight or ten years of his life in Iowa were spent south of Iowa City, some half dozen miles. He was here at the beginning of the Iowa City settlement, and has seen it through every stage of its growth.

V. KOSER GROUP

In the southeast corner of section 17, Penn Township, or possibly in the very northeast corner of section 20, are still to be seen the remnants of 2 mounds. They were some 20 feet in diameter and 35 yards apart. Their height cannot be made out. Mr. Bane reports another mound that was cut through and removed when the road was built at this point. They are at the curve, just where the road turns northwest at the northeast corner of section 20. The road from here angles toward the center of section 17, and then turns westward.

VI. PRYCE GROUP

In the center of the southeast quarter of section 28, on the road north of Butler's Bridge, $\frac{1}{8}$ of a mile from the Iowa River, is a high ridge sloping E and W. In the road on the east side of the wagon track, there begins a row of mounds, in front of property owned by Pryce and Weber. There are 5 still visible, the last one being in the field where the road angles the second time westward. These mounds are somewhat indistinct, and accurate measurement is impossible. They were upwards of 20 feet in diameter and between 3 and 4 feet high. Numbers 1 and 2 are 7 yards

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apart; from 2 to 3 is 17 yards; from 3 to 4, 10; from 4 to 5, 10. They had all been opened. The view from this point is one of the finest, N, E, or S. The ridge is composed of the same yellow loess. In this vicinity there are no woods. The stumps indicate that a growth of young trees had been cut from this ridge in comparatively recent years. The mounds are overgrown with shrubbery, and on one or more there are roots and stumps of the recently cut young forest.[1]

VII. HINRICHS–BURGER GROUP

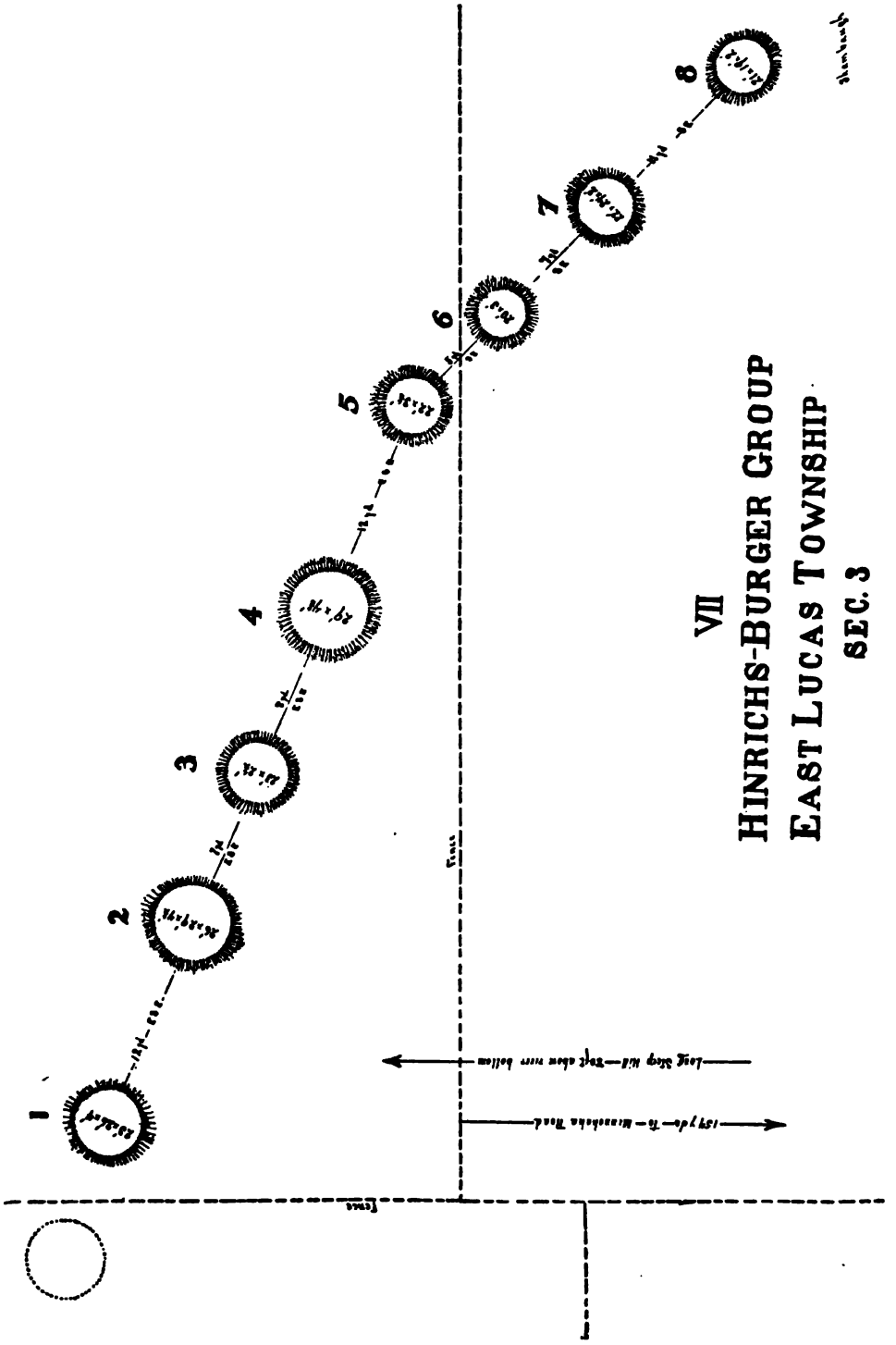
In the northwest quarter of section 3, East Lucas Township, on land now owned by Gus Hinrichs and William Burger, nearly on the line between sections 3 and 4, 154 yards N of the Minnehaha road, up a steep hill, 80 feet above the Iowa River bottoms, begins a row of 8 well-defined mounds. In the cultivated field W of the present wire fence there are intimations of two and perhaps several previously existing mounds. Those here described are in the sparsely wooded pastures on the summit of the loess ridge. (See map on page 50.)

1. Number 1, a few yards from the north and south wire fence, at the western end of the row, measures 23 by 26 feet in diameter and 4 feet high. It has been opened in the center, but is otherwise distinct in outline.

2. ESE, 12 yards, is a mound, 26 by 29 by 4½ feet. On it have grown various trees. There still stands a triplet

[1] Since the above measurements were taken on July 2, 1903, this group of interesting mounds has met the second fate which comes from the white man's occasional reversions to primitive indifference. Numbers 1, 2, and 3 have been plowed and scraped down by the township road-worker, and no one was present who had the slightest knowledge of the pages of human history that were being destroyed.

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VII
HINRICHS-BURGER GROUP
EAST LUCAS TOWNSHIP
SEC. 3

white oak which is 2 feet in diameter and 6 feet 8 inches in circumference at the base. The trees above the common trunk are 6, 5 and 4 inches respectively. Near this on the mound is a dead red oak stump, 16 inches in diameter. Considering the circumstances of growth, these trees indicate advanced age. This mound has also been opened.

3. ESE, 7 yards, is another very distinct mound, 23 by 2½. On this is an elm stump 12 inches through, and a hickory tree 10 inches. Opened.

4. ESE, 8 yards, is the next, 29 by 4½. This is perhaps the largest of the group, and a considerable age is indicated by a standing red oak tree 12 inches in diameter. Opened.

5. ESE, 12 yards, is a fine mound, 22 by 3½. On it are 2 red oaks one of which has been dead some years, but measures 14 inches in diameter. This has apparently not been opened.

6. Here we pass the wire fence into Burger's land, and 5 yards SE we come to number 6. It is 20 by 3. On it grow 2 small hickories. It has not been opened.

7. SE, 7 yards, we reach another. This is 22 by 24 by 2. It has probably not been opened. Being considerably overgrown with weeds, it is not so distinct in outline.

8. SE, 11 yards, we reach the last of the group, 21 by 19 by 2. This has been opened, but not so thoroughly as some of the others. Like the last, it is not so distinct. Numbers 6, 7 and 8 are partially worn down by long pasturing and some cultivation. The position of the group had a commanding view before the present young timber grew up.

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VIII. TERRELL MILL GROUP

Perhaps to Iowa Cityans, the most interesting of all the groups herein mentioned is one located on the property of J. J. Englert, just above the Terrell dam, on the hill to the right (E), at the sharp bend of the Iowa River, 1½ miles N of Iowa Avenue. It is quite in the center of section 3, East Lucas. There are 6 mounds now to be seen. They are on the fine outlook, 170 yards NE from the river edge, just as it turns southward. The middle point of the group line is 120 yards NE of Englert's barn. Here the hill is very steep, and the summit is 80 feet above the low water level. The row begins 35 yards from the wire fence now marking Englert's north line. Their site is in the midst of a pasture field. It has probably never been plowed, although now very sparsely covered with timber. Within a space of about 4 acres, which includes these mounds, there are but 20 trees, all white oaks and hickories, ranging from 6 to 20 inches in diameter. The pasture is rich in white clover. (See maps on pages 53 and 37.)

1. The first mound is 30 by 28 by 2½ feet. It has been partly opened, but is still well-rounded and distinct. 10 yards SES is number 2.

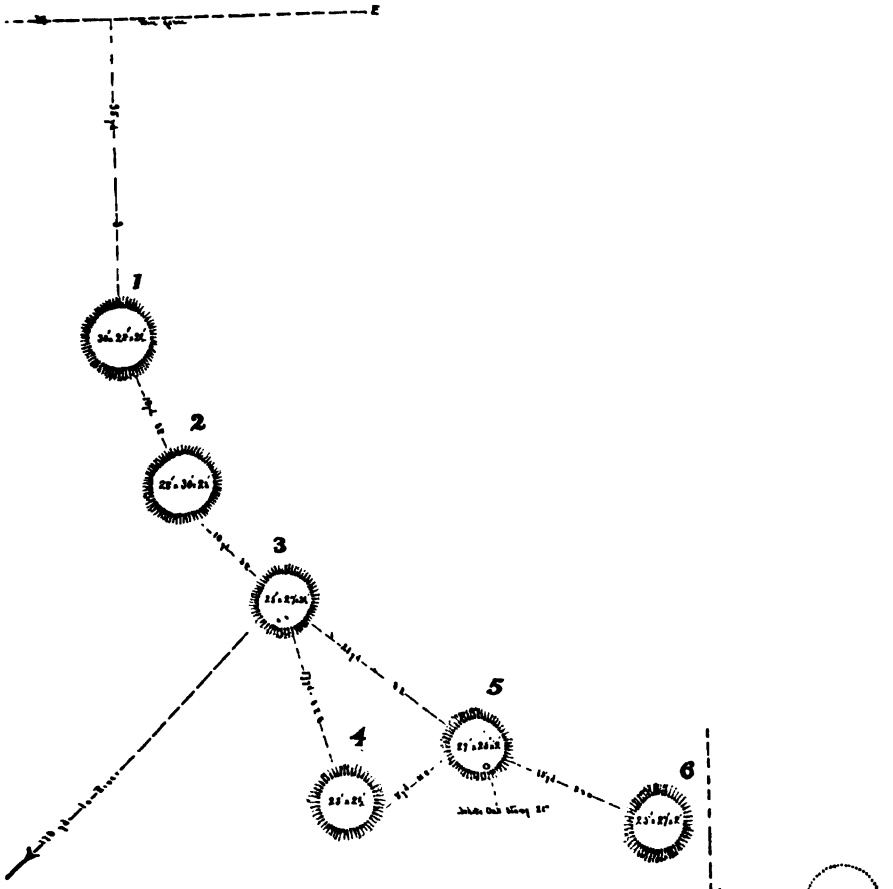
2. This one has the same dimensions—28 by 30 by 2½. It too has been molested. 10 yards SE is number 3.

3. This is a little smaller—25 by 27 by 2½, and has been opened only very slightly. 17 yards SES is number 4.

4. It measures 25 by 2½, and for a wonder remains intact. Here the line of mounds is forked. 21 yards SE of number 3 and 8 yards ENE of number 4 is number 5.

5. This is 29 by 25 by 2, and contains a white oak stump,

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VIII

TERRELL MILL GROUP

EAST LUCAS TOWNSHIP

SEC. 3

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22 inches in diameter, which was cut probably a score of years ago. This stump is evidence that the mound was not built since the year 1700 of our era. It has been dug completely through from E to W, and, like scores of other cases, the world knows not with what result. 15 yards ESE of number 5 is number 6.

6. It is 25 by 27 by 2, and has on it a dead hickory tree, 15 inches through, located on the SE edge. It has thus far escaped the terrible spade. This mound lies close beside the wire fence at the east side of Englert's land, adjoining Vincent Grissel's.

Beyond the wire fence, in the cornfield, the ground gradually rises ESE for a considerable distance. There is reason to believe that more mounds once existed here, but are now obliterated by the plow. (See map.)

IX. SLAVATA GROUP

Two miles E of Iowa City and half a mile N of the Rochester road, in the northwest quarter of the northeast quarter of section 11, East Lucas, on land formerly owned by Fairall, but now in the possession of Mr. Frank Slavata, there were two mounds. They have been recently plowed down and scarcely a vestige of their height is to be seen. The land in 1903 bore a crop of oats. We examined the location after the oats were cut and discovered from the character of the soil and the changed vegetation that the mounds were of the average size. The land is high, a loess-made hill, which is a bank to a tributary of Rapid Creek. Mr. Gil. Irish reports having opened these mounds. In them he found bits of pottery and some stones that had been in fire. These remains were not preserved.

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X. RILEY MOUND

On the Dubuque road, 3 miles NE from Iowa City, there is a farm owned by Mrs. C. M. Riley. The location is in the east half of section 35, Newport. The farm exists in the form of an L, with 40 acres jutting eastward from the northern end. Through this 40 acres, beginning at the southeast corner, Rapid Creek runs northward and westward. This 40 acres itself is in the southeast quarter of the northeast quarter of section 35, Newport. 85 yards W of the east line of said 40 acres and 34 yards N of the south line is located an unusually large and interesting mound. It is 52 feet in diameter and 3½ feet high. The land here is a bare pasture, and is said never to have been plowed. It is dotted with little holes made by the overturning of small timber and the rotting of stumps. The region of the mound is only 40 feet above the creek.

A mound of this character raises new questions and offers new difficulties. If a burial place, it is improbable that it holds the remains of but one chieftain or leader. It is too high for the assumption of a tepee foundation. On the other hand, it is located where such foundation might naturally be expected. It has not been explored.

XI. GRIZEL GROUP

Two and a half miles, by direct line, N from Iowa City, on the farm of Alex. Grizel (formerly owned by Morrison—92 acres) there once existed a group of 15 (perhaps many more) mounds. They were on one of the most beautiful spur-shaped hills on the north bank of Rapid Creek, 1½ miles E of the Iowa River, overlooking timbered valleys

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once prolific in game. The location is a little S of the middle of the northeast quarter of section 35, Newport. During the last three to five years, Grizel has cleared the hill of its growth of small oak and other wood, has plowed down the mounds, cultivated the field, and in this year it has borne hay in the lower two-thirds and oats above. He reports the mounds to have been "too high and large to drive over." The work of leveling is pretty nearly completed. They were doubtless the finest and handsomest row in the region by us investigated. Some of them had been opened —possibly all. The owner did not know the number, the former use, the scientific value, nor that any reverence was due. His object was to make ready for crops. These he will not get on these spots, in quantity worth the effort, during his life-time. The yellow clay which the mound builders used will not grow grain to the satisfaction of the European peasant. A fitting religious sentiment, a historical interest, an esthetic idealism or even a knowledge of agricultural science, would not have permitted the excavations, nor have thrust the plow-share through the finest, most sacred, most interesting, most picturesque, and ultimately most dollar-adding portions of these farms.

These mounds extend from NE to SW. Beginning well up on the hill, I observed the site of a former mound which I shall call number 1. Twelve yards to the S of this (from centre to centre) is number 2. Turning the angle now SW the group is as follows: 9 yards to number 3; 25 yards to 4; 20 yards to 5; 25 yards to 6; 16 yards to 7; 13 yards to 8; 15 yards to 9; 21 yards to 10; 29 yards to 11; 20 yards to 12; 15 yards to 13; 9 yards to 14; 14 yards to 15. On this

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hill Grizel reports that he found many arrow points. Doubtless hundreds of fragments of bones and other sources of valuable information have escaped the untrained observer. This irretrievable ruin is the gravest warning to those interested in Anthropology and Archæology of the fate that will soon and inevitably overtake the splendid remains of a former race. The records of its material, social, religious, and other achievements will in a few years be wiped out, unless educators bring law and scientific zeal to forestop this shortsighted process.

XII. SUNIER MOUND

In the southeast quarter of the northwest quarter of this same section 35, Newport, on the south side of the road running eastward to Grizel's farm, on the same north bank of Rapid Creek, but on relatively low land, was a lonely mound. The land is part of the old Chandler homestead and is now owned by Steven A. Sunier, whose house is on the Dubuque Road, S of the creek, nearly a mile from the mound. The site of the mound is still lower than that on the Riley farm. It was 700 yards S of the road to Grizel's, and 250 yards N of the creek. The measurements can no longer be made out, as it has been plowed over, mowed, and pastured for a generation. It is reported as having been large and conspicuous. Numerous arrow points and other flint and stone articles were found at and after the demolition.

XIII. F. X. AICHER GROUP

In the southeast quarter of the southeast quarter of section 27, Newport, on the north bank of Rapid Creek lives Mr. F. X. Aicher. Entering from the road, which at this point

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runs NNE, we pass along the creek valley. Mr. Aicher's house and barn are on the summit of the distant north bank, perhaps 60 rods from the main road. Some 60 rods farther on, at a distance of 30 yards from the farmer's road and 80 yards NE from the nearest bend of the creek, there is what appears to be one-half of a mound. It is 40 feet above the creek. From the creek toward the mound there is first a flat bottom from 4 to 8 feet high, then the road bed 4 to 8 feet higher, then a first bank somewhat gradual in slope, and finally the more abrupt second and highest bank on which the mound rests.

The peculiarity about this mound is the fact that the south half of it is wanting. The bank here drops almost perpendicularly from 10 to 20 feet. The mound appears to have been eroded away with the bank by the side thrust of the creek stream when it ran at heights of from 15 to 30 feet above its present average water level.

The part of the mound remaining measures 28 by 17 by 2½ feet. Near the east end of it is a rotten oak stump still 12 inches in diameter. The mound appears never to have been opened. Inquiry from the Aichers gave no information as to any former digging or excavations in that vicinity since the settlement of the Whites.

If this is a man-made mound and if its other half has been removed by erosion, it is certainly one of the most interesting of phenomena. At first sight, at least, this condition of things would seem to point to great antiquity.

Fifty-two yards W is an elevation measuring about 18 by 15 by 1½. It is on ground 5 feet lower than the first, and on the continuation of the same narrow spur of loess.

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Six yards W of this is another rise 37 by 18 by 2.

Twelve yards W again is another, 33 by 16 by 2. This reaches almost to the end of the hill, at the place where the road turns a right angle northward.

These have not been numbered as so many indubitable mounds. To be fully sure of their character, they must be scientifically examined into. Our commission and present object do not include this. They do not appear to have been opened. More than any others here described this group involves geological problems.

XIV. HENRY AICHER GROUP

By direct line, 4 miles N of Iowa City, on the east bank of the Iowa River, there is still extant a row of 17 flat topped mounds. They are on the farm of Henry J. Aicher, running from the north middle part of section 27 into the southwest quarter of the southeast quarter of section 22, Newport. This farm was formerly owned by Zypress Aicher, father of Henry, who settled upon it as the first actual improver and farmer.

The region is very hilly. Here are two long narrow loess ridges running nearly N and S, with a small creek (Sanders) between, and the Iowa River to the west of the western ridge. The western ridge, on which the mounds are located, averages from 80 to 100 feet above river level. This ridge is covered with a thin dark soil. The mass of it consists largely of yellow clay (loess), surmounting impure (Devonian) limestone strata. It is now, and has been for more than half a century, partially covered with small oak, poplar, and other native woods. This timber has been twice cut and regrown since the Aichers settled there.

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1. The first mound is at the apex of a hillock, just N of the north end of the now tilled land. It is on ground 10 feet higher than any of the others, and like the others, it is situated directly in the middle or highest back of the ridge. It measures 25 by 26 by 3½ feet (possibly more originally).[1] Like all the rest of this group, it has been opened by individuals who have published no records. According to Mr. Aicher's testimony, this was 20 years or more ago. He has the recollection that these mounds produced skulls and other bones, charcoal, and rings. Whatever other objects he does not remember. 18 yards N of this is mound number 2. (See maps on pages 61 and 37.)

2. It measures 22 by 3. It had also been opened, but the opening was smaller and the excavation much less complete. 15 yards N comes number 3.

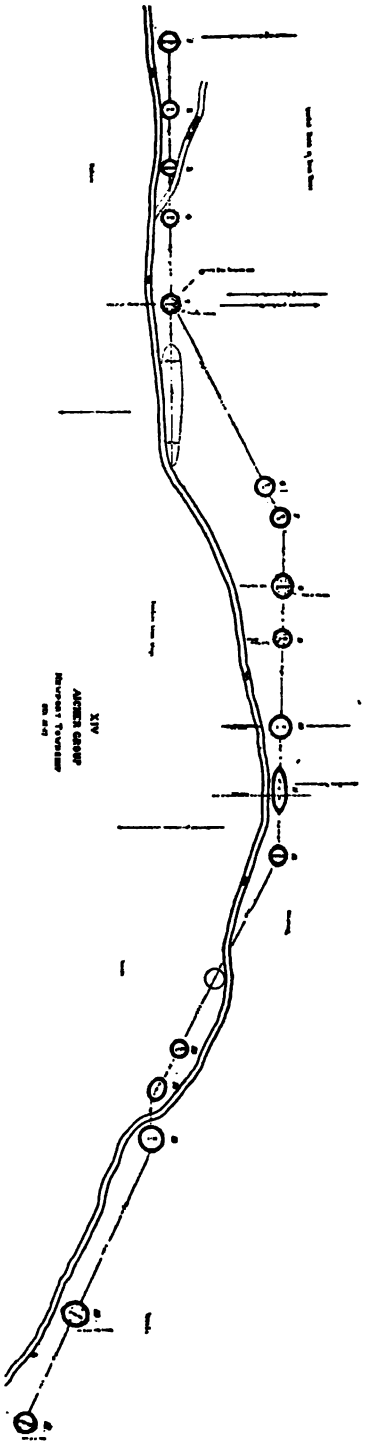
3. This was probably oval, 20 by 26 by 3. It had been opened earlier than the others and an old road, long unused, had been made across it. This road had considerably changed the form of the mound and had cut through to the bottom. 12 yards N of this is number 4.

4. It is 22 by 4. The openings in the mounds were nearly always made in the center, and only in two or three cases did they extend to either margin. 25 yards N of this is number 5.

5. This, too, is nearly circular, 25 by 24 by 4. The former explorers had thrown out many stones of a miscellaneous character, both as to form and kind. Some of them were river-washed, Devonian pieces. One was 14 by

[1] These measurements do not entirely correspond with Webster's in *Smithsonian Report*, 1887, p. 594; but we have surveyed the group twice (June 27 and Sept. 11, 1903), and believe our work nearly correct.

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20 by 3 inches in size. A small incision showed a disturbed yellow clay to the depth of 4 feet. This mound occupies the nearest approach of the series to the river. In a horizontal line the distance would be 100 yards and then a nearly perpendicular, stratified-rock bank of 50 feet. The whole height at this point from low water to the top of the ridge is 80 feet. On the mound are 2 white oak stumps, 10 and 12 inches in diameter. 12 yards southwest of this mound there is still standing a much decayed oak stump, which is now 3½ feet in diameter. Doubtless its tree was cut down in the early days of the White settlement. Being on such high land, subject to the strong Iowa winds in every direction, receiving relatively small amounts of water at its roots which struggle to pierce the hard yellow clay beneath, it is undoubtedly very old, and possibly lived for more than three centuries. Perhaps it shaded the builders of these mounds when they camped upon this admirable lookout! Perhaps again, they had finished their labors and were gone long, long before this oak was sprouted.

Eleven yards N of number 5 is a long, low, indistinct raise of ground which may have been a mound. It is 140 feet long, from 20 to 12 feet wide, and from 1 to 1½ feet high. The south end is broader than the north. 70 yards NNW of this is number 6.

6. It measures 24 by 3. Here begins the second subgroup. This mound had been opened and is not so distinct in outline. 5 yards only NNW of this is number 7.

7. This is 24 by 3½. It offered nothing significant, except the persistence of the idea. 16 yards N is number 8.

8. Though more difficult to measure, it is apparently 30

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by 26 by 3. This one was rather more interesting from the fact that it contained many limestones, varying in length from 3 inches to a foot or more. It had been much tramped upon by the White man's cattle, and there had grown up in it 2 oak trees 10 inches in diameter, also several smaller ones—oak, poplar, etc. 11 yards N is number 9.

9. The diameter is 22 and the height 3. In it are 2 poplar trees, 8 and 10 inches, 1 oak 8 inches through, and several smaller oaks. 25 yards N is number 10.

10. It is round, 2 by 3. The opening made in former years, was completely across. 10 yards N is number 11.

11. This is a large oval, 54 by 17 by 1¼. A wire fence running nearly E and W crosses this mound near the middle. The line between sections 27 and 22 is a few yards S. The opening at the north end of the mound was very slight. In this vicinity the woods show evidence of many piles of cordwood having lain for considerable periods, and possibly this mound has been torn down by the wood cutting and hauling of many years. 12 yards N is number 12.

12. From its position it is rather conspicuous, though its measures are only 24 by 20 by 3. It is trodden down very hard. 45 yards NNE there may have been a mound, but the evidence is not clear enough to so mark one. 74 yards NNE from mound number 12 is number 13.

13. The last of the three sub-groups begins with this—24 by 2. The woods here are quite open and signs of former wood-piles are indicated by the smartweed and other imported vegetation. This mound has been but slightly opened. 7 yards NNE is number 14.

14. Oval, low, but distinct—21 by 27 by 2. 9 yards N is number 15.

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15. Round and defined, but not conspicuous—30 by 2. 62 yards NNE is number 16.

16. Here is one of the best in this fine group—27 by 30 by 3½. It contains poplar and oak trees, 9 and 6 inches respectively. The yellow clay near the bottom (where it had been opened) gives evidence of having been subject to the decay of some organic substances. In occasional spots are whitish and slaty gray discolorations. It is certain to have been a burial place. 36 yards NNE is number 17.

17. The last of the series is 24 by 27 by 3. Being a very fine and promising mound, it had been widely opened in the center. On the margin are growing two oaks, 8 and 10 inches through, also other smaller trees. The woods are quite dense at this point. No mounds were found N of this.

XV. TURKEY CREEK GROUP

On the north bank of Turkey Creek, at the junction with the Iowa River, in the northeast quarter of section 22, Newport, there is a group of 7 mounds. They are 100 feet above low water and 35 yards from the edge of the nearly perpendicular bluff of the river. This bluff is composed of loess on gravel, and this on Devonian limestone.

1. The first is 30 by 3½. It contains a white oak tree 7 inches, a large-toothed aspen 8 inches, and other smaller timber. Like the best mounds everywhere, it had been dug open, yet rather incompletely. The north half of the mound should be scientifically investigated under State auspices.

2. N of this 12 yards is another, measuring 33 by 25 and not more than 1 foot high. On it are 12 small trees, the

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largest an aspen, 8 inches. Near by are decayed red oak stumps as large as 22 inches. This mound would come under the class which I assume may possibly have been tent-bottoms.

On the theory that the burial mounds may represent the last resting place of chiefs, a series of them would indicate a dynasty or the duration of a settlement. A group like this might indicate the burial of but one chief, and hence a relatively short tribal residence.

XVI. CROSCHEK GROUP

On land designated under the name of Barbara Croschek, on the north bank of the Iowa River where it runs 1 mile E, in the southeast quarter of section 16, Newport, in a field now used for pasture purposes and directly opposite "The Ford," there is a group of four thistle-covered, inconspicuous mounds.

1. In this rough pasture, 300 yards NNE of the river, a little E of where the river turns E, on the first ridge (or foot-ridge to the second bottom) and 40 feet above low water, is a mound 24 by 1. It had been opened, no one knows when or with what result.

2. W of this 10 yards is another 30 by 28 by 1. It had been opened, but with less diligence.

3. W again 5 yards is another, 24 by 26 by 1½. It contained a much decayed white oak stump, 8 inches in diameter. For some unaccountable reason (perhaps because the strength of the diggers gave out) it has escaped the usual fate.

4. Only 2 yards to the W, we come to the next, 28 by 26

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by 2. The indications of age are greater by the fact of 2 ancient white oak stumps, 15 and 14 inches respectively. The mound had been opened.

Here let it be observed that former investigators by their digging have left holes in the tops of the mounds which catch and retain the water as the years and decades roll on. Thus have they insured the destruction and decay, sooner or later, of everything organic (bones, clothing, wooden implements, etc.,) that was left unfound.

XVII. SWEENEY GROUP

In a woods adjoining the Croschek field, in the same section and quarter, 50 yards to the W of the fourth Croschek mound, and 200 yards N, beyond a wire fence, in an aspen grove, 100 yards E of the Iowa River, just before it turns eastward, 50 feet above low water, on land now owned by Alex. Sweeney, is a group of 3 mounds.

1. The first is 22 feet in diameter and about 2 feet high. On it are 2 aspen trees 9 and 6 inches. The shrubbery is plentiful and may have been so for generations. Perhaps as a consequence this mound has escaped excavation.

2. Directly N, at a distance of 9 yards, is a mound 25 by 30 by 3. It has on it a white oak tree of 10 inches, an aspen of 6, and a red oak of 8. Being higher and more conspicuous it has, naturally enough, been opened.

3. To the N again 29 yards are the indications of a tent-bottom (if this be the correct theory) 54 by 19 by 1. It has borne its share in the growing of this beautiful grove. 5 aspens of 10 inches and under, a red oak of 6, a hickory of 5, and twin white oaks of 11 and 9 (with a bowl 24 inches),

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another white oak of 8, plunge their roots through it and into the loess-covered, oval-shaped hill.

XVIII. YERIS GROUP

A mile and a half from the north line of Newport, the Iowa River, after running due E for half a mile, turns S at almost a sharp right angle. In the southeast quarter of the northwest quarter of section 9, on the farm of B. Yeris (106.7 acres), on the east bank of a nameless run, flowing SW into the Iowa River, near the right angle just mentioned, at the very center of the section, there are 2 isolated mounds. The hill is very gradual and broad-topped. It is now, and has been during the White man's occupation, covered with woods.

The first mound is located 40 yards W from M. Campion's line. They are 50 yards apart, and the second one is about 150 yards N of the river. Number 1 is 27 by 2. Number 2 is 24 by 2. The direction between the mounds is SW and NE. The shrubbery and underbrush in this region is very dense. The woods have long been pastured and marked with the tracks of wood hauling. Both of the mounds have been explored.

THE LESSON AND ITS SUGGESTIONS

"Those clustered mounds of yellow clay—
Are they but dirt-heaps, in the way,
Piled by some savage, yesterday—
Or something more?"

That depends.

In 35 counties in Iowa there exist the works of some far back race or races who have dwelt here before us. About them we have no other sources of information. These

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sources, however, are sufficient if we once realize it. Their number, kind, contents, environment, condition, age, positions, etc., would tell volumes to him who can read history thus written.

Ours is an age assuming to treat things in the scientific spirit, which in other words means sincerely, honestly, systematically—simply being square with the facts. Here then are the facts. And this is but a little sample lesson of what like efforts would reveal in a hundred regions. It has only laid out the field of work in a small area.

We should then, as a State, look up, survey, preserve by law, and properly investigate these fast vanishing remains of former peoples. We should do this:—

1. To improve our own knowledge.

2. To forward the science of Anthropology and its cognate sciences—Ethnology, Archæology, and History.

3. To solve the many problems of which these earthworks are the keys.

4. To parallel, in our own rich field, the efforts now being made by our sister States—Wisconsin and Ohio especially, in producing the data for the most extended comparisons.

5. To save the monuments themselves (as we would have our tombs and monuments saved), that they may be a constant source of instruction and moral improvement to future generations.

6. To show the respect due to the dead—even though they were of other races—and thus to cultivate the highest virtues among ourselves.

DUREN J. H. WARD

IOWA CITY, IOWA

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THE ORIGIN AND HISTORY OF THE IOWA IDEA

This article aims to give a contemporary statement of the origin, meaning, and history of the proposal for tariff revision which has come to be known as the "Iowa Idea."[1]

The tariff and trust resolutions of the platform adopted by the Republican State Convention held at Cedar Rapids, August 7, 1901, read as follows:

That we stand by the historic policy of the Republican party in giving protection to home industries and point for its ample vindication to the extraordinary rapidity with which our national resources have been developed and our industrial and financial independence secured. We favor such changes in the tariff from time to time as become advisable through the progress of our industries and their changing relations to the commerce of the world. We indorse the policy of reciprocity as the natural complement of protection and urge its development as necessary to the realization of our highest commercial possibilities.

That we assert the sovereignty of the people over all corporations and aggregations of capital and the right residing in the people to enforce such regulations, restrictions or prohibitions upon corporate management as will protect the individual and society from abuse of the power which great combinations of capital wield. We favor such amendments of the interstate commerce act as will more fully

[1] The expression "Iowa Idea" is thought to have been used first by Mr. Walter Wellman in his Des Moines letter of September 5, 1902, which was published in the newspapers on the day following. As printed in the *Record Herald*, Chicago, the letter referred to opens with these words: "One new idea has been contributed to the politics of the United States this year. It is known as 'The Iowa Idea.'"

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carry out its prohibition of discrimination in rate making and any modifications of the tariff schedules that may be required to prevent their affording a shelter to monopoly.

These resolutions were written by the undersigned and adopted without debate or objection by the full Committee on Resolutions, and when reported to the convention were adopted by unanimous vote.

The tariff resolution was intended to declare the general policy of the Republican party upon that subject and to give the influence of the State for a cautious but forward movement for more liberal trade relations between the United States and other countries. There is in it a recognition of the good accomplished by the protective tariff in hastening the development of the country, in affording inducements for the transfer of industries from Europe to the United States whereby natural resources which otherwise might long have remained dormant were utilized and the wealth and population of the country rapidly increased. The resolution declared that the party still stood for this policy; but, coupled with it and a part of it, there is a recognition that the relation of the tariff to our industries is properly a changing one, and the inference is carried that the rates of duty should not be higher than necessary to fairly protect those industries from competition which they could not justly be required to meet and could not sustain themselves against. The policy of reciprocity is earnestly endorsed as the "natural complement of protection," the thought being that it will promote the expansion of our trade abroad as the tariff has promoted it at home. The Republican National Convention of 1896 coupled these policies in the same man-

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ner by calling them "twin measures" of republicanism. The opinion is expressed that there must be a development of reciprocity with other peoples if this country is to realize its highest commercial possibilities. President McKinley thirty days later gave expression to the same idea in the following language, since famous:

> A system which provides a mutual exchange of commodities is manifestly essential to the continued and healthful growth of our export trade. We must not repose in fancied security that we can forever sell everything and buy little or nothing. If such a thing were possible it would not be best for us or for those with whom we deal. We should take from our customers such of their products as we can use without harm to our industries and labor. Reciprocity is the natural outgrowth of our wonderful industrial development under the domestic policy now firmly established. What we produce beyond our domestic production must have a vent abroad. The excess must be relieved through a foreign outlet, and we should sell everywhere we can, and buy wherever the buying will enlarge our sales and productions and thereby make a greater demand for home labor.
>
> The period of exclusiveness is past. The expansion of our trade and commerce is the possessing problem. Commercial wars are unprofitable. A policy of good will and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; measures of retaliations are not.

In short the spirit of the resolution was intended to be liberal, and its influence was intended to be a liberalizing one upon the party, without proposing sudden or revolutionary changes. The writer believes that a rigid policy of exclusion and isolation cannot be made the permanent policy of a great people possessed of the natural resources and advantages with which the United States are endowed, and

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that it would be a fatal error to allow the policy of protection to be so interpreted. The tendencies that constantly work in that direction should be kept in check and an effort made to move with the progress of our industries in the other direction, i. e., toward a basis of natural trade along economic lines.

The trust resolution was intended to be something more than a vague declaration which points to no specific abuse and promises nothing in particular. It did not propose a sweeping onslaught upon all large corporations. It did not attempt to stay the legitimate movement toward consolidation in the industrial field. But it did propose two definite measures for the protection of the public from abuses frequently alleged to exist, both of which are unquestionably within the proper exercise of congressional authority. It declared that freight rate discriminations, unquestionably the most potent agency for throwing the business of the country into a few hands, should be stopped, and that the protective tariff should not be permitted to shelter monopolies.

The 1901 platform was approved by the Republican press without noticeable dissent. It was accepted generally for just what it was intended to be, an expression of sentiment in favor of a progressive policy upon the tariff. If there had been any feeling of alarm among Republicans in other States over an apparent departure by the Republicans of Iowa from the recognized tenets of the party and any important protest against their views, it might have been expected to influence the utterances of President McKinley at Buffalo a month later. His speech breathed the same

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spirit as the Iowa utterance; and one of the prominent Republican leaders of Iowa, who visited him at Canton while the Buffalo address was in preparation, saw the Iowa platform on his desk and heard from his lips cordial commendation of its declarations and no criticism of any part.

The nominee of the convention for Governor, the Honorable A. B. Cummins, while not a party to the making of the platform and without knowledge of its declarations until after the convention had adopted them, endorsed those declarations unreservedly and made his campaign along that line.

In January, 1902, Senator Jonathan P. Dolliver, in his brief speech of acceptance to the Republican caucus which had nominated him for the Senate, took occasion to recognize the sentiment for tariff revision that had become manifest in the party, saying:

> The design of protective laws is to prevent our home industries from being overborne by the competition of foreign producers, and it may be safely said that no American factory making an unequal or precarious fight with its foreign rivals will ever look in vain for help and defense to the people of Iowa. But we are not blind to the fact that in many lines of industry tariff rates which in 1897 were reasonable have already become unnecessary and in some instances even absurd. They remain on the statute books not as a shield for the safety of domestic labor, but as a weapon of offense against the American market place itself. Without overlooking the dangers and evils of a general tariff agitation, I cannot believe that a correction of obvious defects in the present schedules, made by friends of the law in an open and business-like way, could be disastrous in any legitimate interest of the people—unless indeed we admit the claim put forward by some—that Congress is impotent and helpless in the pres-

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ence of these questions. If William McKinley, speaking almost in the shadow of his martyrdom, uttered words of truth and soberness —and we all think he did—how is it possible to put off very long the readjustment of our laws to the needs of the new era which will always commemorate his name—the era of the development of our markets—the era of reciprocity, not only with our own neighbors, but with the nations of the world and the islands of the sea.

In April, 1902, Governor Cummins delivered an address before the Club of Minneapolis in which he took strong ground for tariff revision by the Republican party, and used language which aroused criticism from some of the Republican papers of Iowa. The particular utterance to which these criticisms were directed was part of a denunciation of monopolies and of an argument that a domestic monopoly was not entitled to be sheltered from foreign competitors by legislative favor. "The consumer," said the speaker, "is better entitled to competition than the producer is to protection where the producer is a monopoly." The criticisms upon this particular declaration caused him to repeat the proposition in careful terms in several later addresses. Before the Marquette Club of Chicago on October 10, 1902, he said:

Protection is the essential principle of republicanism; but competition is the eternal law of industrial life. We should and will enforce both; but if temporarily wealth ignores the latter and erects itself into a monopoly, then the consumer has a better right to competition than the producer has to protection. Competition we must have; that of the Republic if possible; that of the World if necessary.

Before the Polk County Republican Convention, March 4, 1903, Governor Cummins again elucidated this point as follows:

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When monopoly comes there is just one producer of the article, and all who use it are consumers, and what I said and what I repeat is that when such a situation is presented the consumers of that one article are better entitled to competition than the one producer is to protection.

In his address before the Marquette Club, Governor Cummins fairly expressed the views of the author of the platform when he said:

With respect to many things we have narrowed the field of competition and confined it to American territory by tariff duties, under the belief so well expressed by Mr. Blaine, who in his *Twenty Years of Congress* wrote, "Protection in the perfection of its design, as described by Mr. Hamilton, does not invite competition from abroad, but is based on the controlling principle that competition at home will always prevent monopoly on the part of the capitalists, assure good wages to the laborer and defend the consumer against the evils of extortion."

The experience of the past few years, however, has shown us that ambitious spirits are able to establish and maintain monopolies in some of the important products of industry, and with respect to these things it is self-evident that the tariff duties, in some measure, are a shelter, because they deprive us of the opportunity to invite competition from other lands.

Further on he defined the Iowa platform as follows:

The Republicans of Iowa say that when trade in any protected commodity reaches the point of a single producer, the tariff duty upon that commodity shall be suspended until the laws of business resume their rightful sway.

The resolution may be thus interpreted if one conceives such a literal construction to be a practicable proposition. A platform declaration is necessarily general in its terms,

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and men who agree upon what they want to accomplish may not agree upon all the details of a plan. It is quite possible to agree with Governor Cummins' general proposition that a monopoly is not entitled to be vested in full control of the domestic market and yet doubt the feasibility of suspending a duty while the commodity produced is in the hands of a monopoly and restoring it again whenever domestic competition appears. The question of fact would seem to be too difficult of determination, for the parties interested would take care that every case was complicated by the existence of apparent competition. This definition of the platform has been looked upon in many quarters as the distinctive feature, the real "Iowa Idea," but I do not understand that Governor Cummins would lay such emphasis upon it. It is his way of working out the doctrine of the platform. He believes it possible. The author of the resolution had in mind not so much the destruction of monopoly as the protection of society from the evils of monopoly. Society hates monopoly because of the power it possesses to exact illegitimate gains, and the thought of the author was that the protective tariff should be so carefully constructed, and amended from time to time, that no monopoly would have opportunity under it to make illegitimate gains. This is all that the writer has conceived it practicable to do, and it is enough to protect the public from oppression.

The discussion over Governor Cummins' Minneapolis address was at a lively stage when the Republican State Convention for 1902 was called, and interest was immediately centered upon the probable declarations of that body upon the tariff. That it would be unfortunate to have any

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differences which might exist over the tariff made the subject of a factional division in the party was recognized by the calmer leaders, and to avert this the suggestion was made in several quarters that instead of attempting to write a new tariff resolution the convention might better reaffirm the old one, upon which one campaign had been made. The suggestion was in the nature of a compromise and intended to avoid a conflict in which factional differences and tariff differences would alike be aggravated.

At first the proposal appeared to be generally acceptable, but a few days before the convention met the proposition was made, that the old platform be amended by striking out the clause "and any modifications of the tariff schedules that may be required to prevent their affording shelter to monopoly." The friends of the old platform could not see their way to agree to this. They held that the convention could consistently do either one of two things, viz: write a new platform, or reaffirm the old one. They objected to reaffirmation with an amendment which would certainly be regarded as a reconsideration and condemnation of a part of the old platform. It is not a reflection upon a platform of one year to have the convention of a following year adopt a new declaration of principles. On the contrary that is the usual proceeding, and the only reason for departing from it in 1902 was found in the peculiar state of irritability in the party, which made a conflict in the convention highly undesirable. To use a part of the old resolutions and eliminate a part as objectionable was a proposition which was not universally acceptable. The friends of the old platform said that they cared nothing for reaffirmation; their protest

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was against mutilation. The outcome was a re-adoption of the 1901 resolutions with no change in the controverted language.

Early in the spring of 1903, before the convention had been called, conferences were held between recognized leaders of the party with a view to arriving at substantial agreement upon the language of the tariff and trust resolutions to be adopted at the next convention. The result of the conferences was a general understanding that Senator Allison, after communicating with representative men from various parts of the State, should submit to the committee on resolutions a declaration the general purport of which was agreed to with the language subject to his revision. Senator Allison accepted the task with the understanding that he would be a medium through which the parties in disagreement might compose their differences rather than an arbitrator. The resolutions finally submitted to the convention of 1903, and unanimously adopted, read as follows:

We reiterate our faith in the historic principles of protection. Under its influence our country foremost in the bounties of nature, has become foremost in production. It has enabled laborers to successfully insist upon good wages and induced capital to engage in production with reasonable hope of fair reward. Its vindication is found in the history of its success and the rapidity with which our natural resources have been developed and our industrial independence secured, and we heartily renew our pledge to maintain it. The tariff rates enacted to carry this policy into effect should be just, fair and impartial, equally opposed to foreign control and domestic monopoly, to sectional discrimination and individual favoritism, and must, from time to time be changed to meet the varying conditions incident to

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the progress of our industries and their changing relations in our foreign and domestic commerce. Duties that are too low should be increased and duties that are too high should be reduced.

We endorse the policy of reciprocity as the natural complement of protection. Reciprocity between nations is trade for mutual advantage and both sides must give and take. We approve the treaty with Cuba, recently ratified, as conferring substantial benefits upon both countries, and urge that the remaining steps, necessary to make it effective, be promptly taken.

The reciprocity resolution in the 1903 platform is more definite in its terms and more favorable to the policy than the old resolution. The tariff resolution is thought to contain all that the old one had, but is more acceptable to those who saw in the latter something too much like an admission that the tariff did in fact afford shelter to monopoly.

The Republicans of Iowa who favor tariff revision and reciprocity do not acknowledge that they have departed from the well established lines of party policy. They are only solicitous that the policy shall be kept up to date and in harmony with the rapid progress which the country is making in industry and commerce.

The temporary Chairman of the Republican State Convention of 1903, the Hon. Geo. D. Perkins, editor of the *Sioux City Journal*, who has been a steadfast supporter of the platforms of 1901 and 1902, in his convention address, gave a definition of the policy of protection which would doubtless be adopted by all the Iowa Republicans who have endorsed the "Iowa Idea." It reads as follows:

The Republican party from the beginning of its history has given the policy uniform interpretation. The object is, in association with raising revenue, to safeguard the industrial interests of our own peo-

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ple—to protect the labor of our country against unequal competition. It follows, of course, that as conditions change, some of our tariffs may be too low, and such tariffs should be raised; it is even more likely that some of our tariffs are too high, and such tariffs should be reduced. The labor of the country, under the best and wisest application of the protective policy, is not only to be protected in what it has to sell, but it is also to be protected in what it has to uy.

Tariff changes should be well considered. They should be made cautiously and conservatively. They should not be dictated by mere politics. Every change should have the support of sound business reason. Every change should be made in strict conformity to the general policy which we call "the historic policy." The Republican party has had but one definition of that policy. It is "fundamentally based," said the President so recently as the 3rd of April, "upon ample recognition of the difference between the cost of production—that is, the cost of labor—here and abroad, and of the need to see to it that our laws shall in no event afford advantage in our own market to foreign industries over American industries, to foreign capital over American capital, to foreign labor over our own labor."

It is vitally important to the preservation of the policy of protection to keep the definition in mind, to keep the essential qualities in mind, and to falter not in loyal, intelligent and courageous service.

We have not passed the time in this country or anywhere in this world when contest is not imperative against the immediate and changing aims and organization of selfish interest. What we need to do is to meet narrow interest with broad interest, giving adherence to enduring principle determined to subordinate the few to the will and welfare of the many. This we may insist upon in the name of protection.

The discussion in Iowa has centered upon the "shelter to monopoly" phrase and given it undue emphasis. It was not intended as an attack upon the protective policy. It gives

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attention to the efforts to suppress competition which have compelled recognition likewise at the hands of the President, of Congress, and of the political conventions of all parties. If there is really no danger that domestic producers in any industry will combine and exact unreasonable prices there is no occasion for trust legislation of any kind. If the danger is real and demanding a remedy, then it is important to the protective policy that such exactions shall not be chargeable to it, and special scrutiny should be given to the schedules most likely to serve such combinations. That was the purport of the declaration.

That there are some differences in the Republican party of Iowa over the interpretation to be given to the policy of protection has been made apparent. There are extreme protectionists who would let nothing into the country that can be produced here no matter at what disadvantage or cost. On the other hand there are the moderate protectionists who want the resources and industries of the country developed along the lines of natural economy. They have wanted to see the ore beds opened, the factories multiplied, and every source of natural wealth and strength utilized, and they have found the protective tariff effective to that end. They believe the country should preserve its vast domestic trade to itself as far as it can economically do so and they hold it not a source of economic loss to maintain a living wage rate. They recognize, however, that the growth of our manufactured exports until they nearly equal all other exports means that the employment and wages of our people have become in a large degree dependent upon our trade relations with other countries, and that reciprocity may be as impor-

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tant to us in the future as protection has been in the past. We have become, by the enterprise of our people, one in the great family of nations, no longer isolated, in a sense less independent than in our youth, just as every family today is less independent and self contained than the pioneer family of fifty years ago. We want to sell goods around the world. We want to devote ourselves to the work that pays best, our people want an opportunity to make the most of our advantages, to have the largest possible market for the products in which they have superiority, and to this end we would use reciprocity, the natural complement of protection.

Those who hold to the latter view propose nothing revolutionary. They would only lay emphasis upon the necessity for a broad outlook, taking in all the conditions that bear upon national prosperity, with readiness to deal promptly, and as a practical people, with the world about us.

George E. Roberts

Treasury Department
Washington

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SHELBY COUNTY

A SOCIOLOGICAL STUDY

The purpose of this study is to examine the component society known as Shelby County with reference to its social structure; to trace the development of the original elements to their present state of differentiation and combination; and to give a general outline of the structure as it now exists. It must be recognized at the beginning that a fairly adequate analysis of the social groups with some of their relations to the social whole involves possibilities beyond the scope of this study.[1]

THE LAND

Shelby County is the second county east from the Missouri river in the fourth tier of counties north from the southern boundary of Iowa. It contains sixteen congressional townships numbering from township seventy-eight north, range thirty-seven west, to township eighty-one north, range forty west, of the fifth principal meridian.

The surface is gently undulating, well drained by streams which run through broad valleys. The forms of some of the largest valleys suggest the probability that once they were beds of chains of lakes. Only a few years ago some of these bottoms were wide swamps which could not be

[1] The plan followed is that indicated by Small and Vincent in their *Introduction to the Study of Society*, modified according to the suggestions of Professor I. A. Loos, under whose direction the work has been done at the State University of Iowa.

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crossed easily. In its original condition the rolling prairie was covered by tall grass and myriads of flowers. Natural groves dotted the landscape and animal life was abundant—ducks and geese found the swamps a very satisfactory nesting place; quails and prairie chickens were disturbed only by the cayote, deer, or occasional elk. Squirrels and rabbits, crows, hawks, and many varieties of songsters formed a natural society as yet unmolested by civilization. Fifty years have wrought great changes. God's beautiful prairie has become man's habitation. The whole scene is changed. Civilization has claimed the land by placing it all under cultivation. Looking out over the country from the hill tops one may see scores of country homes surrounded by trees and a village of farm buildings. Great herds of cattle graze on the hill sides. Yellow fields suggest the wealth of the harvest.

THE SOIL[1]

In the valleys the soil is black loam resting on a bed of clay beneath which is found sand and gravel. The hills vary—some have a black soil, others reddish brown and many are yellow clay. There is very little sand and almost no stone in the soil. Hazel brush and dwarf oak trees grow on the hills. The soil is very fertile and is well adapted to extremes, producing crops in times of drought and flood.

An abundance of good water is easily obtained. Wells vary in depth from ten feet in valleys to one hundred fifty feet on some hills. Springs are frequent. The water of the streams is often sought by stock in preference to water from wells.

There are a half dozen natural groves containing oak,

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ash, elm, walnut, hickory, and basswood trees among others. Galland's Grove, named from the first settler, is the largest in the county, containing about one thousand acres.

The climate is diversified. The temperature varies from thirty degrees below zero to one hundred twelve degrees Fahrenheit. Changes come very rapidly making a difference of fifty degrees in twenty-four hours. From the dry summers and almost snowless winters to floods and heavy snows, the climate varies from year to year. Snow falls about Thanksgiving, and the ground is rarely snow covered after Easter Sunday.

The altitude of the county seat is twelve hundred feet above sea level. The average annual rainfall is about 38.29 inches.

THE POPULATION

In 1848 Abraham Galland made the first permanent settlement in Galland's Grove. In 1849 some of the families from the scattering Mormons, pleased with the shelter of the grove, made cabins for themselves. Many of the early settlements of Pottawattamie, Harrison, Cass, and Shelby counties were effected by the Mormons who left the Mormon Society at Kanesville because of its polygamous practices. In 1854 there were one hundred forty-seven people in the northwest corner of the county on an area of thirty-six square miles now known as Grove Township.

In 1857 there were only six families in the southern part of the county—people from Pennsylvania and Ohio, who in 1853 had come by boat down the Ohio River to the Mississippi, thence westward and north on the south and west side of the Missouri to where Blair, Nebraska, is now

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located. They crossed over into Iowa and started out across the prairie to find a home. A grove in the beautiful valley of the Nishnabotna River afforded shelter for the party over night, and in the morning the father announced that "here is the spot, the beautiful land shall be our home," and immediately he began to make preparations to build a cabin. The cows which the boy had driven behind the wagon were allowed to graze, the horses were tethered out, the fowls so long in their crate were given liberty, and a permanent union between the land and population was begun.

By 1857 Monroe Township had acquired Danish population. Much as the others they came to find homes in the new country of opportunity. In 1868 Clay Township gained a Danish settler, an Adventist and a Republican who was very influential in persuading other Danes to come to this country. Each new comer induced some of his friends to join him in the new country—thus began the greatest rural colony of Danes in America.

In 1882 Elkhorn Post Office was established in the northeastern part of Clay Township. It is in the midst of the heavy Danish settlement of Audubon, Cass, and Shelby counties. In addition to the usual stores and other business places of a village it fosters an orphan's home and a college —both institutions of the Danish Lutheran church.

The German colony in Westphalia Township owes its origin to an advertisement in a newspaper. Emil Flusche came from Grand Rapids, Michigan, in September, 1872, and undertook the task of selling railroad land in this township. The railroad company contracted to pay a commis-

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sion of one dollar per acre on all land sold to German Catholics who became actual settlers, provided that there were forty settlers within eighteen months from the date of the contract. The commission was to be shared equally by the promoters and the church; and so from the beginning of the enterprise the church has played an important part in influencing the colony.

Blood-relationship or kinship aided the founders of the colony. In October, 1872, Joseph Flusche came from Minnesota, and about a month later Charles Flusche came from Grand Rapids. On March 16, 1873, August Flusche, Emil Zimmerman, and John Rueschenberg came from the province of Westphalia, Germany. Within two years the township was organized with a population of two hundred seven. It was named Westphalia for the old home province.

It must be remembered that the Danes and Germans have not confined themselves to the townships mentioned. Both nationalities have been energetic in gaining possession of the soil until the Danes occupy Clay, Monroe, Jackson, and Center townships with many Danes in the townships bordering on these, and the Germans possess Westphalia, Washington, Cass, parts of Lincoln and Shelby townships with German farmers in adjoining townships.

While these foreign elements were finding their homes, men from other States and other counties of this State were rapidly claiming the land. Many of the counties in the eastern part of the State sent enough people here to warrant their designation as groups—"the Jones County settlers," "the Mahaskans," "the Clinton County folk." Johnson County furnished a colony which settled near Shelby, a vil-

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lage on the Rock Island railway, almost in the southwestern corner of the county. Pennsylvania, Ohio, Indiana, and Illinois each furnished its quota of home seekers who have made the prairies yield great wealth while they established happy homes and the proper public institutions.

THE LOCAL GOVERNMENT[1]

In 1854 Galland's Grove Township was organized with a population of 174. Round Township was organized in 1856 with a population of 188. These two townships contained all of the territory of the county. Harlan, Jackson, and Fairview Townships were created in 1860 and Round township lost its existence in the three new ones.

Clay Township, organized in 1867, was called Indian Creek until June, 1869. It took Township 78 north, range 37 west and the east half of Township 78 north,

[1] The following statistics indicate the organization of the townships and the territory as it was divided for purposes of local government:

ORGANIZATION OF TOWNSHIPS

NAME	TOWNSHIP	RANGE WEST	DATE	POPULATION
Grove	81	40	1854	174
Harlan	79	38	1860	
Jackson	79	37	1860	30
Fairview	79	39	1860	130
Clay	78	37	1867	80
Cass	79	40	1869	120
Shelby	78	40	1870	190
Washington	80	40	1871	163
Union	81	39	1871	87
Douglas	80	38	1871	164
Polk	79	37	1871	120
Lincoln	79	39	1871	129
Jefferson	81	37	1871	30
Monroe	78	38	1873	550
Greeley	81	38	1874	770
Westphalia	80	39	1874	207

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range 38 west from Fairview Township, and the south one-third of Township 79 north, range 37 west from Jackson. Cass Township was taken from Harlan Township in 1869.

Shelby Township was taken from Fairview in 1870; Washington and Union from Grove in 1871; Douglas from Harlan and Jackson in 1871 — the west one-half of what is now Douglas Township, and section 34 from Harlan and the remainder from Jackson. During the year 1871 Polk was separated from Jackson; Lincoln from Cass and Harlan; and Jefferson from Grove and Jackson. Monroe Township was taken equally from Fairview and Clay in 1873. The next year saw the part of Jefferson Township, which formerly had been a part of Grove, organized under the name of Greeley. Westphalia Township was organized in 1874 with its boundaries those of congressional Township 80 north, range 39 west.

For the purpose of better administration the city of Harlan was separated from Harlan Township in 1898. The part outside of the corporation limits was named Center Township.

While the population of the entire county has increased fifty per cent in the last twenty years, that of several townships has decreased since 1890. This is due to three causes: (1) farmers are retiring and moving into the towns; (2) others are buying out their neighbors, thus decreasing the numbers of families in the township; and (3) the young men and women are leaving either to find cheaper land or other employment. Often the homestead is left in charge of a son or son-in-law. The rising generation is not given

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to large families. The birth rate is not enough greater than the death rate to offset emigration. Ten years ago the floating population of farm laborers was much greater than to-day because the farmers' boys have grown up and displaced the hired men in many instances. Another decade will bring about the necessity of more immigration of farm labor, for the tendency is to enlarge the farms. This causes decrease in the number of families and consequently a lower rate of increase in the population. The towns are growing steadily through the coming of day-laborers and retired farmers who desire the advantages of the town schools for their children. A few industries mentioned later furnish employment for several families.[1]

In 1900 the total population of the county was 17,932, of which 9,455 were males and 8,477 females. Of this num-

[1] The following table shows the growth of the county by townships since 1880:

TOWNSHIP	1880	1890	1900	TOWNSHIP	1880	1890	1900
Cass	498	1025	1073	Jefferson	351	993	1042
Clay	850	1080	1147	Lincoln	88	935	725*
Douglas	677	9925	857*	Monroe	1012	932	894*
Fairview	919	873	722*	Polk	443	809	835
Greeley	334	877	871	Shelby	1299	1457	1443
Grove	818	721	798	Union	538	1212	1209
Harlan	2172	2563	2422	Washington	506	952	931
Center			740	Westphalia	597	1265	1357
Jackson	800	1009	806*				

* Townships having decreased in population.

The following table taken from statistical reports shows the population of the county and the per cent of increase from 1854 to 1900:

YEAR	POPULATION	PER CENT OF INCREASE	YEAR	POPULATION	PER CENT OF INCREASE
1854	326		1875	5,664	123.15
1856	456	39.	1880	12,696	124.15
1859	784	72.	1885	16,306	28.43
1860	818	4.33	1890	17,611	8.
1865	1,900	132.3	1895	17,798	1.06
1870	2,540	33.7	1900	17,932	.75

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ber 14,535 were native born and 3,397 foreign born. There were 7,898 native born of native parents and 6,627 native born of foreign parents. Thus the entire population of foreign extraction was 10,024. The following table shows the number that various countries have contributed to the population:

Germany—1,419. Denmark—1,404. Norway—134. Ireland—111. England—103. Canada (English)—100. Sweden—37. Austria—21. Switzerland—16. Scotland—10. Russia—10. Bohemia—6. France—6. Holland—7. Poland—1 (Russians), other Poles—6. Italy—2. Australia—2. Belgium—1. Canada (French)—4. China—0, and 10 Negroes.

THE MOTIVES FOR SETTLEMENT

Inquiry of the early settlers of this county concerning the motives for settling here brings many answers. Home-seeking, usually, is the predominating one. Of the possible motives—health, wealth, sociability, knowledge, religion, morals, and desire for beauty—wealth is the reason generally given, although the other motives were satisfied in a measure.

The settlers who followed Abraham Galland to Galland's Grove left the Mormon train at Kanesville, now Council Bluffs, because of differences in religion and morals. Polygamy was not in accord with the moral sentiments and religious feelings of these separatists and it formed a motive for them to find homes where they could associate with those who were likeminded with regard to marriage.

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The motives which prompted the settlement of Westphalia were two-fold—an opportunity to make money and to do a service to the Roman Catholic church at the same time. Cheap homes in a fertile land among those people who were of the Roman faith were in brief the motives inducing settlers to come to Westphalia. After a few families had settled in the colony their friends and relatives were urged to come, and so sociability became a strong motive in building up the population.

The Danish people who came here did so mainly through the efforts of their friends who had come before. This has not yet stopped. Letters still go back to the fatherland describing the beauties and possibilities of this fair land. Money is sent, and the United States receives another immigrant. In the experience of the colony of Danes, one member of a family—the first to come here—has been the means of bringing over all the other members of the family.

In several instances young men have sent money back to sweethearts to bring them to this new home where the temptation was too great—the money was kept and the girl stayed in the old country. In January, 1903, the papers noted a case in which the young woman refused to marry the man after she came.

Many of the Danes and Germans visit the fatherland; but almost invariably return to America. One of these visitors writes from Copenhagen as follows: "People don't believe me when I tell them about the liberty we enjoy in America and the possibilities and opportunities which abound there. I am sick of home and homesick for my adopted country, America. I am coming back glad to realize my good for-

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tune in being a citizen of the United States. I am bringing with me a young man, a future citizen."

The early population showed other motives than the mere keeping of health and the gaining of wealth. A certain amount of both health and wealth is necessary to existence.

Knowledge as a motive was shown in the building of school houses. Very early in the settlement of the county subscription schools put opportunities before the children. Schools were held in cabins or in other log buildings, a log granary serving in one instance. Frequently schools were held in dwelling houses, with the children of the family the only pupils and the mother their paid teacher.

Religious societies were organized and meetings held in groves, cabins, school houses, in the county court house later, and anywhere that a group of people could be gathered to worship God. The Danes attended long services regularly; the Germans followed their priest through various services on Sunday; the Americans went visiting by dozens and scores. For them the motive of sociability asserted itself strongly.

The desire for beauty was present from the very earliest time. Muslin hangings to cover the rude walls of the log cabin were unmistakable signs of æsthetic feeling. Even the careful removal of the bark from the parts of the logs which showed on the inside of the house and the smoothly worked chinking showed æsthetic tendencies which in a score of years expressed themselves in beautiful houses surrounded by fine lawns and flowers.

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SEGREGATING INFLUENCES

Among the Danes one of the first settlers was an Adventist. He worked hard to induce his fellow church-men to come to this country, and a flourishing church grew up in Clay Township. Lutherans and Baptists came also, and the segregating effect of the difference in sect is noteworthy. The Lutherans are strongest around Elkhorn which is the center of the great Danish settlement.

In the western part of Clay Township and eastern Monroe we find the Baptists. About a quarter of a mile west of the Danish Baptist church was once a Union church which stood as a monument to the fact that there must be some vital connection with a living organization with its traditions to insure its perpetuity. In this Union church were Lutherans and Presbyterians from Pennsylvania; Methodists from Ohio and Indiana; Campbellites, as they were called, from Illinois; and men and women who had no church affiliations other than those established by the Union church.

Among the Danes the political parties offered a segregating influence. The Lutherans were Democrats; the Adventists and Baptists were Republicans.

The agitation of the slavery question brought about conditions which separated men in every relation of life. The feeling was strongly anti-slavery, and the few men who were in sympathy with the south, or were Democrats, were listed by some of the county officers as "Copperheads."

Nationality was a strong segregating element in the county group and an equally strong unifying force in the natural group.

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UNIFYING INFLUENCES

The unifying influences were almost solely of two kinds, a common ancestry or nationality, and the necessity of union for protection and progress. The men planned to journey to mill and market together. It was forty-five miles to Council Bluffs, and the denizens of the county went there to trade until 1869 when the Rock Island railroad was completed across the State. Avoca then became a trading point and post office.

All attended the county conventions without regard to party. On one convention day a group of men on their way to the meeting found a young Republican breaking prairie with his four yoke of oxen. They invited him to accompany them, and on his refusal because of the urgency of his work, they threatened to put him "on the ticket." Accordingly he was given the nomination on the Democratic ticket for the most important county office. His Republican friends were greatly amazed at his election. The fact still remains that in county politics the ability and character of the man stands for more than party allegiance.

In the early history of the county we find extensive coöperation in many things which promoted good feeling and a wholesome spirit of sociability. The building of houses and barns found a group of men hauling the lumber from Avoca or earlier hauling logs to the nearest sawmill in Bowman's Grove or Harrison County and returning with lumber—cottonwood, poplar or hard wood of some sort, oak, walnut or ash. Neighbors helped build the cabins; and later when the family had become larger and prosperity warranted a new house, they raised the frame. Barn rais-

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ing, butchering, threshing, and working the roads united the men and women of each neighborhood. While the men were at their tasks, the women were preparing a bounteous dinner. After the work was done the men engaged in friendly bouts, wrestling, racing, and other feats of strength. These occasions were the real holidays of early times. Contract road-working leaves threshing the only remaining gala day of its kind. In view of the fact that in some localities the population changes so rapidly the personnel of the threshing crew changes so much from year to year that much of its value as a unifying influence is lost.

In Harlan the people have long been unified in their sport. Since 1878 there has existed some form of organized athletics, varying from hose teams and association football to roller skating, base ball, and rugby. It is no wonder that this county furnishes its share of college athletes.

We find the Germans unified most thoroughly in their religion. The colony is Roman Catholic, and in the county there are five Catholic churches. A common faith and a common nationality provides a strong unifying influence. In addition to this there is but little difference of opinion in politics, the Germans being nearly all Democrats.

In other parts of the county we find marked tendencies to unity in the endeavor to accomplish something for the good of the community. The defunct societies known as Farmers' Alliance and the Coöperative Association were intended to supply the economic wants of the community at less expense than local merchants would. These associations were short lived because the people would not fully carry out the plans of the organizations. There was not continuous and constant coöperation.

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THE FAMILY

The men who came to this county in its beginning brought their families with them in many cases; and if there was no family to bring, one was established as soon as the man could get possession of enough land and sufficient capital to start to farm for himself. Those who came here were home seekers and they have proved themselves to be home builders. It is a noteworthy fact that not men alone came either from other States or foreign lands; but men and women both came from the very first. Many Danish and German girls came to this country because their brothers, cousins, or friends had told them of its opportunities. These girls first worked as domestics in families needing help, and many of them went to homes made for them by their prosperous fellow countrymen who had saved their months' earnings until a small farm could be rented and a team and machinery provided. A housekeeper was then sought. Even to this day such beginnings are crude and accomplished by many privations and hardships.

The family established now knows nothing of the independence which was necessary for the early family to take upon itself. The family which came here in the early fifties or in 1860 had to be a miniature society in itself. Not only did the husband provide the food and fuel and the wife prepare the meal, but all the economic functions were discharged by the family. It was forty miles to mill, and many times when the snow made travel impossible the women ground grain in coffee mills. During one very severe winter, that of 1856-7, one family ground sixteen bushels of buckwheat on an ordinary hand coffee mill. It was often

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necessary to pound corn or grind wheat for food. During such times families practiced all possible coöperation; but it was miles between neighbors.

Great contrasts may be drawn between the conditions of family life of the present and the years just before the war. By 1860 there were only 818 people in the county. They lived in rough houses, log cabins with thatched roofs, dug-outs, or cabins with a sod coating outside the logs. They worked hard to wrest enough more than a living from the soil to pay for land and improvements. The methods of production—the ox team plow, the reaping by cradle or by the hand rake reaper drawn by horses, the binding of the grain by hand, its stacking, its threshing by flail and by tramping or by means of the crude threshing machine—all were processes which were harder labor than the present methods of grain raising impose on the farmer. Add to these things the distance to market, the lack of bridges and good roads, and the waste which all of the difficulties mentioned caused in time, strength, and material, and we see under what disadvantages the early families labored. All the members of the family assisted in raising the crop. The women did anything from raising vegetables to stacking wheat and husking corn.

Family life of those days is marked by the way the families did or did not observe Sunday. Whatever had been the custom of the family in the old home was followed here. In most cases some religious service was held, if only the dust were removed from the old family bible. Many Sundays were spent in holding meetings in groves or at some of the larger houses. Neighborhoods gathered in Sunday

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schools; and where there were school houses they were used for church purposes.

As a rule the Danish people all went to church. Their services were long, but the people were devoted. The Americans were not as faithful in church attendance as their brethren from Denmark.

The Americans spent many of their Sundays in visiting. They went by the wagon load and stayed all day. These Sunday gatherings of genial spirits did much to unify the community. The Danes, when they came, visited each other after divine service and because of difference in language and customs did not associate with the Americans to any great extent. Many of their families became unsocial because of the great effort by which wealth was to be acquired. There was no time for sociability in the family, and this determined the unsocial character of many of the people. Even to this day the Danes show a preference for their own nationality in matters of business, although they disown such attitude if they are questioned concerning it. The Danes who were born in America and who have been reared under the influence of our institutions are thoroughly American.

The Danes are a happy, contented, hard working people. Conservative, they love order; yet they are not sluggish in their conservatism and will defend their rights vigorously. They do not burden the courts with suits.

Most of the Danes have been here less than twenty-five years. Many earned their passage money after coming. Scores of men who landed in America penniless, hired out, saved their wages, bought a team and farming


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implements, and by constant economy and industry have come to own large farms.

Untiring in industry, rigidly economical, they permitted no waste of material or supplies. All the nooks and corners were utilized. This practice often led to serious offence to the more æsthetic and often less prosperous. An onion bed is not an ideal front yard, nor does a cabbage or potato patch make an acceptable substitute for a nicely kept lawn. But front yard gardens are certainly preferable to pigs and poultry before the door. Happily this stage in the evolution of the Dane was passed sometime ago by the more prosperous ones. Every community, however, has and will continue to have a few inhabitants who prefer the uncouth and unsanitary environs of the pig sty.

As a citizen the Dane is a desirable addition to the community. He thinks, is usually conscientious, and votes intelligently. Allegiance to party is about equally divided between Republicans and Democrats. When the prohibition question was before the people, church affiliation seemed to have had some bearing on politics. The Lutherans were for beer, while the Baptists were for no beer.

The Danes are very sociable and hospitable among themselves. They visit each other frequently and groups often assemble for picnics. There are numerous Sunday afternoon festivities.

The fifth of June is celebrated as their national holiday on account of the royal grant of greater liberties. The Danish flag and the Stars and Stripes are unfurled, speeches are made, and demonstrations such as are common on the Fourth of July are indulged.

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Sunday picnics are common in the summer, and public dances in the winter. These picnics and balls are often not exclusive. Usually they are given on the subscription plan by two or three of the enterprising young men. The balls are not held on Sunday, although the entertainment differs but little from that of the Sunday picnic and platform dance.

The Danes quickly adapt themselves to American ways of business but the family life remains much the same as it was in the old country, especially among the early settlers. There is one family at least which carries on all the domestic manufactures common to the family in Denmark. Wooden shoes, yarn, homespun cloth, and the ordinary domestic utensils are all made in that home—unconsciously the arts and crafts are thus fostered.

In the heart of the German settlement is maintained a little Germany where the manners and customs of the fatherland flourish unmolested among the older people. The young generation is American, and it adapts itself readily to the customs and usages which prevail outside of the colony. In spite of his beer and Sunday games of base ball, the German is a good citizen who upbuilds the social cause and does his part to improve conditions in which he lives. The home life is the last to yield to the influence of the new country.

[TO BE CONTINUED]

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THE IOWA DAUGHTERS OF THE AMERICAN REVOLUTION

The work of an organization like the Daughters of the American Revolution in a State like Iowa, remote not only from the seat of the Revolutionary War, but from all wars, must be vastly different from that in a section of country so full of places of historic interest that the need of such a working body is apparent to all. Living in a community where every family has traditions, where almost every person has some article treasured because of its age and associations, and where the historic spirit is a natural growth of many decades, one does not need to ask: Why such a society? There is, however, plenty to do in Iowa. First of all, in every community the love of country and the personal responsibility of every citizen to support the officers of our government in an honest and efficient administration must be impressed upon the people. While this is not the peculiar duty of our society, being the duty of every American, it is so natural a product of our line of study and work that almost every chapter reports efforts in this line. In Burlington, Clinton, Cedar Falls, Cedar Rapids, Council Bluffs, Davenport, Dubuque, Iowa City, Keokuk, Ottumwa, Marshalltown, and Red Oak the Daughters of the American Revolution have offered prizes for essays on patriotic subjects to pupils in the public schools, or have presented inspiring pictures to ornament the walls of the schools and

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libraries. Except in the case of the Ottumwa school board, which refused, these pictures and prizes have been gratefully accepted.

The Daughters of Marshalltown presented a flag to their public library. The Burlington women erected a flag-pole and presented a flag to their library. At Cedar Falls a flag was donated to the public schools, and at Chariton one was given to Lucas County. Many of the chapters have purchased flags which are used for decoration on social occasions, and are hung outdoors on important anniversaries and days of general rejoicing. The Francis Shaw chapter of Anamosa has erected an edifice for the public library at a cost of $11,000. Such work must surely inspire a broader public spirit, and a lofty purpose in the community.

Five soldiers who fought in the War for Independence are buried in Iowa. The graves of these five heroes have been identified beyond the question of any one who has given the study of Iowa history serious consideration. The grave of William Blair, near Kossuth in Des Moines County, has been marked by loyal descendants. John Osborne lies in the cemetery at Center Point, Linn County, and a suitable monument has been erected to his memory by Denison Post No. 244, G. A. R., aided by the citizens of the village. The grave of Timothy Brown was found in September of this year (1903). Some years ago Mr. Charles Aldrich came into possession of a rare old file of *The Western American*, published at Keosauqua, Iowa, and read in the issue of June 17, 1852, that Timothy Brown, a revolutionary soldier, had died on the 30th of the previous month. At the request of Mr. Aldrich, Mr. H. A. Burrell, of the *Wash-*

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ington Press, spent much time trying to identify this grave. The subject was afterwards revived and agitated by Mr. A. R. Miller of the *Washington Democrat*, and success rewarded his efforts. The "Timothy Brown American Revolution Memorial Association" has been formed to see that the last resting place of this patriot is properly cared for.

In the Forest Home cemetery at Mount Pleasant a monument has been erected to the memory of Charles Shepherd. The body of this old soldier lies in a cultivated field, a part of the forty acre tract which he had bought with the money paid by a grateful government in the form of a pension, and on which he lived, died, and was buried. The inscription upon the stone reads:

CHARLES SHEPHERD, A SOLDIER OF THE REVOLUTION,
BORN DEC. 25, 1763,
DIED SEPTEMBER, 1845.
SERVED 4 YEARS, 5½ MONTHS.
WAS IN THE BATTLE OF BRANDYWINE AND GERMANTOWN.
WAS BURIED ON THE N. E. ¼ S. E. ¼ OF SEC. 17, TWP. 72, N., R. 7 W.
ERECTED BY THE STATE OF IOWA,
AIDED BY MCFARLAND POST, G. A. R. AND THE D. A. R.
Pro Patria Dulce et Decorum est.

Acting upon the suggestion of Mrs. Julian Richards, then the State Regent, a committee from the Abigail Adams chapter, supported by the Daughters of the whole State, secured from the Twenty-ninth General Assembly an appropriation of $500. This money was expended under the direction of the G. A. R. in Mount Pleasant, and on September 17, 1903, they dedicated the monument with appropriate ceremonies. There is a chapter of the Daughters of the

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Revolution in that city, and two of their number were invited to assist the Daughters of the American Revolution in the unveiling. Mrs. John F. Kerfoot of Ottumwa and Miss Emily Beckwith of Mount Pleasant, members of the Elizabeth Ross chapter, represented the Daughters of the American Revolution in this part of the exercises.

The completely identified grave of George Perkins, near Primrose, in Lee County, still remains unmarked. The Keokuk chapter has had some correspondence with the Hon. J. P. Cruikshank of Fort Madison, a descendent of this patriot, and voted on February, 1903, to invite the Jean Espy chapter of Fort Madison to coöperate with it in securing funds and erecting a monument in grateful remembrance of the services of George Perkins in assisting in securing American independence.

In a recent report to the National Society of the Daughters of the American Revolution appears the name of Abraham Clarke, who is said to have been a soldier in the Revolution. He is buried in Woolen's graveyard near Lowell, Iowa. His name is not on the pension list at Washington. To ascertain what were his services and whether his grave is suitably marked is work for Iowa Daughters. The Stars and Stripes chapter of Burlington has material for original research in its own city. A British soldier of the war of 1776 lies buried there, and a Revolutionary patriot is claimed. The data concerning these men should be collected and published, and if possible the graves should be identified and marked.

The history of Iowa is that of a quiet and prosperous people. The State is young; and there are still living those

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who can point out to us the places where the first settlements were made, where important matters were first proposed, and what were the conditions which confronted the pioneers. The Iowa Band and what it accomplished will be a topic of surpassing interest to future historians of the educational and religious life of America, as well as the early struggles of all our educational institutions.[1] Let us not despise these beginnings, but rather let us preserve the records and respect the efforts of the self denying pioneers. There were older and stronger institutions in Europe when Harvard and Yale and Dartmouth were founded. Doubtless there were, among the Colonists, those who sneered at the struggling, poorly equipped schools which are now our venerated universities, second to none in the world in their special lines of work. The donation of forty dollars to Coe College (Iowa) by the Cedar Rapids chapter was a step in the right direction. Its moral support will be of infinite value to this institution.

Every chapter in Iowa can find work well worth the doing in its own locality in preserving the record of what has been done, so that those who come after us may know what the early conditions were. Every chapter can coöperate with the State Historical Society of Iowa, at Iowa City, not only by reading THE IOWA JOURNAL OF HISTORY AND POLITICS, but by furnishing its editor with local data of interest. The Iowa Hall of History at Des Moines, stands ready to receive all manner of things of historic interest. No better place could be selected for the preservation and exhibition of revolutionary and other relics.

[1] See Adams, *The Iowa Band.*

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The grave of Black Hawk is said to be known by persons now living. This great chief was so intimately associated with early Iowa history that places known to have been frequented by him and his last resting place will always be of interest to those for whom the history of the race has a charm. The Stars and Stripes chapter has announced its intention to preserve the large rock where Black Hawk held his council of war. The story of the life of this old Indian is a fascinating subject for chapter study.[1]

The Abigail Adams chapter of Des Moines has determined to erect a suitable marker to indicate the location of the old Ft. Des Moines. The last detachment of soldiers left this old fort March 10, 1846. On November 13, 1903, the new Ft. Des Moines was opened with elaborate exercises. On the evening of November 23, the D. A. R. gave an "Old Settlers' Tea" in the Iowa Hall of History. On this occasion several of the oldest settlers spoke, refreshing the memory of the old days when Des Moines was a frontier post. This tea was given with a view to extending a knowledge of the history of the city, and interesting the people in the work of the chapter. The committee having the work in charge have met with the most cordial coöperation.

As we look back over the ten years which have passed since the first chapter was founded in Des Moines in 1893, and recall that there was only now and then a Daughter of the American Revolution to be found in the State, and then think that today we have about seven hundred and fifty members, with twenty-three organized and seven unorgan-

[1] See Stevens, *The Black Hawk War*, an exhaustive history of Black Hawk, recently published.

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ized chapters in Iowa, the vast organization itself seems work enough to have been accomplished in a decade, were it only now ready to begin work, instead of already having accomplished much of value.

Mrs. C. E. Putnam of Davenport, our first State Regent, was a charter member of the National Society. She was succeeded in office by Mrs. J. A. T. Hull of Des Moines, who later became a Vice-President General of the National Society of Daughters of the American Revolution. Mrs. D. N. Cooley of Dubuque followed, serving the society for four terms as State Regent, and her successor was Mrs. C. E. Armstrong of Clinton, who served two terms. The first State conference was called by Mrs. Armstrong. The meeting at Clinton was such a success that an annual gathering of the chapters has become one of our institutions. Mrs. Julian Richards of Waterloo, now Vice-President General, called the conference to order at Waterloo during her first term, and last year again presided over the same body at Des Moines, where the Abigail Adams chapter acted as hostess to the Daughters of the American Revolution of Iowa. This year the Daughters gathered to greet their present State Regent, Mrs. Maria Purdy Peck, as guests of her chapter in her own city—Davenport.

To become a Daughter of the American Revolution one must be descended from an ancestor who rendered substantial service in securing American independence. In most cases this ancestor is several generations back. When her own father was a revolutionary patriot a member is called a "Real Daughter" and the society delights to honor her. Such members are exempt from the usual dues, and are pre-

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sented with a special souvenir from the National Society of the Daughters of the American Revolution.

Iowa claims ten "Real Daughters," only four of whom survive: Mrs. Sophia M. D. Andrews, a member of the Abigail Adams chapter of Des Moines; Mrs. Emily Smith Reed Nettleton, a member of the Martha Washington chapter of Sioux City; Mrs. Eliza A. Melvin Shrader, of the Pilgrim chapter of Iowa City; and Mrs. Susan Antoinette Wood Ostrander, of Council Bluffs. The Abigail Adams chapter claimed Lucy Fellows Sibley of State Center, as a member. The Hannah Caldwell chapter of Davenport has lost by death both of its real Daughters: Mrs. Julia Ann Warrington Weaver and Mrs. Electa N. Van Vleck. Clinton mourns the loss of Mrs. Chauncey Lamb, and Cedar Falls' two Real Daughters, Mrs. Mary Ann Luther Burr and Mrs. Catherine M. Roadman, have also passed away.

The natural result of a society founded on historical research is an interest in providing permanent and accessible records of the subject we have found so absorbing. The Francis Shaw chapter of Anamosa leads all the chapters in the State in work accomplished, and few chapters in any State can at present make an equal showing. Worthy descendants of patriotic sires are these women who have builded for their city a handsome edifice for their public library. They have also given programs of so much interest that they have been repeated by request for the benefit of the public. The *History of the Mass*, which was first given in the chapter meeting and repeated in the Catholic church later, was selected as a subject partly because of the beauty of the music and partly that the ceremony so often

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heard might be rightly understood. At the close of the program a collection for the benefit of the hospital was taken, and $59.83 was raised for a worthy cause, in addition to the program of rare beauty and value which the people of Anamosa were permitted to enjoy.

For three years the Clinton Daughters have been working to establish an historical department in their public library. The Dubuque chapter has already contributed $150 to furnish an historical corner in the city's beautiful new library building. The chapter in Keokuk has started an historical collection for the public library. The chapter in Council Bluffs gave two lectures, the proceeds of which were devoted to providing the high school with historical books of reference. Several chapters have placed *The American Monthly* and *The Spirit of '76* in their public libraries.

This natural desire to preserve the record of the past is manifesting itself in the National Society of the Daughters of the American Revolution in the great undertaking of building Continental Hall in Washington. To this end contributions have been sent from the Francis Shaw chapter of Anamosa, the Spinning Wheel chapter of Marshalltown, the Stars and Stripes chapter of Burlington, the Elizabeth Ross chapter of Ottumwa, the Pilgrim chapter of Iowa City, the Abigail Adams chapter of Des Moines, the Dubuque chapter, the Council Bluffs chapter, and the Cedar Rapids chapter.

To help sufferers from unavoidable disasters has been a spontaneous movement. Besides large contributions of clothing, bedding, etc., from individual members, the Abigail Adams chapter contributed $10 in money to the sufferers in Des Moines in the spring of 1903. In 1901 this chap-

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ter sent $10 to the Jacksonville sufferers. The Spinning Wheel chapter of Marshalltown sent money to the Jacksonville sufferers, as well as responding to other calls for relief. The Hannah Caldwell chapter of Davenport maintains a room in McCowan Hall for self-supporting young women. The Stars and Stripes chapter of Burlington sent $10 to the Jacksonville sufferers in 1901. It made a donation of soap to the hospital as a memorial offering to one of its deceased members. The Pilgrim chapter of Iowa City and the Cedar Rapids chapter each sent $5 to the Jacksonville sufferers. The DeShon chapter in Boone has furnished a room in the Eleanor Moore Hospital, and maintains it.

Iowa chapters have contributed various sums to objects of interest outside of the State. We had a part in presenting to France the statues of Lafayette and Washington. When the chapter in Augusta, Georgia, appealed to us for aid in buying the Meadow Garden Farm, that the home of a signer of the Declaration of Independence might be preserved and used as a chapter house by local Daughters, Iowa responded cordially. Contributions were also made to the Harrison portrait fund and toward the preservation of Washington's old church.

At the request of the Tennessee Daughters a committee was appointed from the Abigail Adams chapter to call the attention of the Iowa delegation in Congress to the bill concerning the Appalachian forest reserve. Courteous responses were received from every member of the delegation, as well as a personal letter from Congressman James W. Wadsworth, the chairman of the committee on Agriculture. The bill was favorably reported, but did not come to a vote at

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the last session of Congress because of the lack of time to pass on all bills before that body. The Stars and Stripes chapter petitioned Congress to convert Valley Forge into a national park. Under the leadership of Mrs. C. E. Armstrong, then State Regent, the society petitioned the Iowa legislature to erect suitable monuments to the soldiers who fell on the field of Chickamauga.

During the late war with Spain the National Society of the Daughters of the American Revolution served as examining board for female nurses, and Surgeon-General Sternberg was so well satisfied with their work that offers from other organizations to assist in this work were rejected, and most of the female nurses serving in the war were selected by our committee. The Abigail Adams chapter recommended Miss Della Weeks, who was with our troops till the close of the war. She afterwards attended one of the chapter meetings in Filipino costume and told many interesting tales about the Philippines and showed many curios from there. The Abigail Adams chapter also presented the 51st Iowa Volunteers with a regimental banner of blue silk with gold lettering. This banner the regiment carried during the war, and it occupied a conspicuous place on the auditorium platform when the reception to the soldiers was given on their return. It now rests with the other battle flags of the Iowa troops in the rotunda of the capitol. At this reception the Daughters, dressed in Colonial costumes, occupied boxes at the left of the stage. The members of this chapter all joined the Red Cross Society, thus contributing to the needs of our troops through that body. A committee was appointed to assist the Red Cross in its hospital work at

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Camp McKinley, and nurses and watchers were always ready to serve. Mrs. C. H. Gaylord and Mrs. E. G. Pratt spent much time in this service, watching night after night at the hospital and soliciting delicacies for the sick men.

The Council Bluffs chapter contributed a banner to the John L. Moore Post, Army of the Philippines, which cost $84. In addition to this they contributed $25 to the army fund. The Hannah Caldwell chapter sent $50 and clothing and delicacies to the hospital at Jacksonville. The Keokuk chapter sent nine boxes to the soldiers. The Stars and Stripes chapter of Burlington sent $25, and also made up 125 yards of material in bandages and sent them to the military hospitals. The Pilgrim chapter of Iowa City sent $41.25 and many books and magazines. The Elizabeth Ross chapter of Ottumwa sent $54.50 to Company G, 50th Iowa. It gave to the 3rd Nebraska Volunteers passing through the city, coffee, milk, fruit, and jelly. It distributed among the sick soldiers scattered about the city game, fruit, nuts and flowers. It sent 500 pounds of reading matter to the 3rd Regiment Engineer Corps at Macon, Georgia, the 49th Iowa Volunteers in Cuba, and the 51st Iowa at Military hospital in Manila, and later sent 24 pounds more to Manila.

Services in time of war and assisting in securing desired legislation in time of peace must, from the nature of the case, be spasmodic. The organization is ready to respond to calls. Its regular work must be the preservation of historic landmarks and documents, and the study of the lessons which the past has for us. The program of the chapters are in the main historical studies. While events and biographies of persons of Revolutionary times lead all other sub-

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jects, some intensely interesting programs in local history are reported. The Elizabeth Ross chapter reports an afternoon spent on the history of Wapello County, with a talk by Major Hamilton, an old settler, in addition to a comprehensive paper by Mrs. D. A. Laforce. An occasional musical program is provided by way of diversion. On many programs musical numbers are interspersed with those of an historical or literary character. With few exceptions the chapters emphasize the social side. The most active chapters in other lines seems to find strength for work and inspiration in a cup of tea and a visit after their regular programs.

The Spinning Wheel chapter of Marshalltown founded the first society of Children of the American Revolution in the State. Dubuque also has a chapter of the Children of the American Revolution. This work is inspiring in itself and a great feeder for the parent organization.

When the State Federation of Women's Clubs held its biennial meeting in Council Bluffs, the chapter there assisted in their entertainment. The Abigail Adams chapter of Des Moines performed the same pleasant duty last May when the Federation met in Des Moines.

Mrs. Lewis, the author of *Old Thirteen*, a song which was sung at the last Continental Congress, and which has formed a part of many a chapter program, was a member of the Old Thirteen chapter of Chariton. Her death was a sincere sorrow to the members of this chapter.

The Jean Espy chapter of Fort Madison has an honorary member—Mrs. Rachael Albright, aged ninety-one years, who is a granddaughter of Betsy Ross. Mrs. Albright lived with her grandmother until she was twenty-four years old. In

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the back of the Fort Madison year-book appears a picture of some interesting Betsy Ross relics.

The Dubuque chapter has been fortunate in being able to entertain some distinguished visitors, Governors Cummins, Archbishop Keane, and Senator Allison being among the guests.

Many of the chapters put their meetings upon days of historic interest, but a majority meet regularly and celebrate the days especially important with social affairs or entertainments. Washington's Birthday and Flag Day seem the favorite gala days.

Nearly all the chapters publish year-books containing at least the by-laws and directory. Many contain the year's program as well. Only one—Keokuk—contains the chapter history for the preceding year. This, and a brief sketch of the chapter heroine, which appears in the Hannah Caldwell year book, are splendid features, not only adding greatly to the interest of outside readers, but to the information of the chapter members as well. A list of the national officers and the name and address of the State Regent makes a very useful as well as an appropriate page.

To sum up the work of this the first decade, dwelling a little upon the splendid growth of the organization, and taking pride in the spirit of generosity which has governed its work, all must feel that the Iowa Daughters of the American Revolution have it in their power to accomplish great things in the future. The record certainly justifies the existence of such an organization.

CAROLINE CLIFFORD BURBANK

THE ABIGAIL ADAMS CHAPTER

DES MOINES, IOWA

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SOME PUBLICATIONS

Collections of the Illinois State Historical Library, Vol. I. Edited and annotated by H. W. Beckwith. Springfield. 1903. Pp. 642.

This volume has been issued at the charge of an appropriation made by the State Legislature of Illinois, in 1901, for the purpose of collecting and publishing documentary materials relative to the history of the Northwest. As the opening number of what, it is to be hoped, will prove to be an extensive series of publications, it presents an interesting array of those "sources" from which is derived a large part of our knowledge of the history of the exploration and occupation of the original "Illinois country." Here we find Marquette's narrative of the famous expedition of 1673, Hennepin's narrative as contained in *La Louisiane* of 1683, a number of documents relating to La Salle, and Tonty's memoir of 1693. The above documents, though fragmentary, are made parts of a more or less continuous whole by means of copious explanatory prefaces and annotations furnished by the editor.

A short manuscript by Charles Phillipe Aubry, a French captain of infantry serving at various western posts during the French and Indian War, is here printed in English for the first time. Aside from its interest as a mere relic, the chief value of this document lies in the explanation which it affords of the original motive and the circumstances attending the building of old Fort Massiac (Massac), a post which afterward served as a provisional base for the campaign of General George Rogers Clark.

By far the most interesting portion of the volume, and that to which the editor has evidently given his best attention, is the account of this same campaign, by which General Clark wrested from English rule the splendid domain later known as "The Territory of the United States northwest of the Ohio River." This account is skill-

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fully pieced together from a number of documents, the principal being the memoir prepared by Clark at the request, it is claimed, of Thomas Jefferson and James Madison. His letter to George Mason of Virginia is also frequently quoted. The two letters of instruction issued by Governor Patrick Henry, the one for the public eye, the other for Clark's own use as a leader of the expedition, are quoted at full length. Frequent use is also made of letters and other documents from the Canadian Archives. These various sources are so well combined that one is, in reading, scarcely conscious of the composite nature of the work.

The volume contains, in addition to the above, a rather extensive and, so far as its main purpose is concerned, even an exhaustive collection of letters from Series B, of the Canadian Archives. This collection cannot fail to be of great value to students of western history to whom the originals are not accessible.

In an appendix of six pages the editor gives his reasons, which appear to be well founded, for believing that the fort captured by Clark at Kaskaskia was nothing more than the old "stone house of the Jesuits" then known as Fort Gage, instead of the so-called Fort Gage across the Okau (Kaskaskia) river which had, it would seem, been destroyed by fire in 1766.

A very complete index concludes the volume, containing itself many interesting historical, geographical and biographical notes.

It is unfortunate that the press work is no better than it is and that the proof was not subjected to thorough literary revision. Nevertheless, though nominally a mere compilation, the volume represents a great deal of really constructive work well done.

LAENAS GIFFORD WELD

THE STATE UNIVERSITY OF IOWA
IOWA CITY

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The Administration of Iowa, a Study in Centralization. By HAROLD MARTIN BOWMAN. Columbia University Studies in History, Economics, and Public Law. Vol. XVIII, No. 1. The Columbia University Press. New York: The Macmillan Company. 1903. Pp. 224.

Mr. Bowman was well equipped to undertake the study of Administration in Iowa. He had spent most of his life in this State, and his residence in Des Moines gave him convenient access to the source material bearing upon his study. He is a graduate of the Law School of the University of Michigan, and has made a special study of administrative law at Columbia University. It is, indeed, fortunate that so important and withal so complex a subject of Iowa history and politics has fallen into such able hands. Mr. Bowman has set good standards for future contributions in this line of study.

In the first chapter the problems of administration in Iowa are set forth as the universal problems of the American State of today. The history of Iowa is normal, and the growth of the State has been symmetrical in all directions. "The broad outline of the government of today is substantially that of the second year of its independent territorial existence." Throughout the Governor has exerted a very considerable influence. By his side an Executive Council has also been an important factor in the State's administration. Altogether the chief characteristic in the development of Iowa administration is described by the author as "that of an even progress, a gradual growth or accumulation of strength and fitness, rather than a sudden enlargement." This suggests that the study of Iowa history and politics is all the more valuable by reason of the "poise and natural development" of the State.

And yet it is true that "the essential problem of administration is as near to, and perhaps as far from, solution in Iowa as elsewhere." This problem "is one of responsibility, efficiency and independence in administration, both State and local. To solve it there is necessary, on the one hand, the careful delimitation of the sphere of the State; on the other, that of local administration." Mr. Bowman then points out how the question should be solved. "Allow the

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State to attract to itself, and itself administer those powers which as near as can be told appertain to it as the State. Permit then the city or local division to exercise untrammeled the authority that, so far as it shall appear, belongs to it as the local government. Relieve it of the tutelage of the interfering Legislature. The results will at first be rough. But when the true line of cleavage has been established the finer adjustments can be made with little difficulty."

Mr. Bowman does not consider the whole problem of administration, but directs his attention rather to the point where both the State and local government act as the agent of the State. The scope of his treatment is well indicated by the chapter headings which are as follows: Public Educations; Charities and Corrections; Public Health and Safety; Public Finance, Income and Administration.

The author of *The Administration of Iowa* is to be congratulated upon the clearness with which he has put his conclusions. In chapter VI he observes, first, that Iowa prizes the privileges of local self-government, but has thus far not allowed the sentiment of self-rule to defeat necessary centralization in administration; and, second, there is "a willingness to see the State administration exercise authority when it has been made clear that the State was by nature better fitted than the locality to serve the public interest." In common with other States, Iowa politics has been characterized by legislative centralization and administrative decentralization. But the tendency is in the direction of adminstrative centralization, which receives no little impetus from the conspicuous success of the Board of Control.

Perhaps the ablest chapter in the whole volume is the one on *Public Finance*. In the matter of taxation Mr. Bowman has very decided convictions, when he recommends that "first of all the State should rid itself of those bonds which restrict the assignment of particular sources of revenue to central or local government." He suggests the amendment of the State Constitution in the interests of centralization in the administration of public finance.

BENJ. F. SHAMBAUGH

THE STATE UNIVERSITY OF IOWA
IOWA CITY, IOWA

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Historic Highways of America. By ARCHER BUTLER HULBERT. Cleveland: The Arthur H. Clark Company. 1903. Vol. IV, Braddock's Road. Vol. V, The Old Glade (Forbes's) Road (Pennsylvania State Road). Vol. VI, Boone's Wilderness Road. Vol. VII, Portage Paths The Keys of the Continent. Vol. IX, Waterways of Westward Expansion with Maps and Illustrations. Pp. 213, 205, 207, 194, 220.

These five volumes are a continuation of the series outlined by Mr. Hulbert, the first three of which series received notice in the April, 1903, number of THE IOWA JOURNAL OF HISTORY AND POLITICS. Vol. IV shows the importance of Braddock's route (1755) from Virginia across the Alleghanies to the Ohio valley in that long struggle between the French and English for the supremacy of North America.

Volume V describes the building and significance of the old road built across the State of Pennsylvania which formed the chief outlet of the New Englanders to the Ohio region. The building of this road was first contemplated by Gen. Braddock and actually started by him. It was discontinued after his disastrous defeat in the battle of Monongahela. In 1858 the work was resumed by Brigadier-General Forbes and completed the same year.

Volume VI bears the title of *Boone's Wilderness Road*, but is chiefly concerned with the history of the West as connected with the opening up of this roadway including many interesting anecdotes.

Volume VII treats of the portage paths of America, particularly those lying south of the Great Lakes between the Atlantic ocean and the Mississippi river. The first part of the volume is devoted to the nature, use, and evolution of portage paths, while the second part contains a catalogue of American portages. The study of these "Keys of the Continent" is an illustration of the political and economic significance of the topography of our country.

Volume IX precedes volume VIII in the series, as the publishers announce, to give Mr. Hulbert more time for travel over the military roads before completing that volume. This volume is entitled *Water-*

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ways of Westward Expansion, but is devoted entirely to the part played by the Ohio river as an avenue into the West. It also contains much interesting matter relative to river navigation as practised upon the Ohio.

FRANK E. HORACK

THE STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY, IOWA

Railways in the United States in 1902. Issued by the Interstate Commerce Commission. Washington: Government Printing Office. Parts II, IV, V. Pp. 195, 415, 462.

The Interstate Commerce Commission has recently prepared and issued a special report under the above caption. It ought to prove as monumental in influence as it has in size and importance. Without attempting the impossible task of treating in detail the entire report, let it suffice merely to mention by title the first three parts and notice but briefly the last two, because they are more germane to the stage of discussion which the railway problem has now reached:

Part I is entitled, *A Twenty-two Year Review of Railway Operations;* [1] Part II, *A Fifty Year Review of Changes in Freight Tariffs;* Part III, *A Fifteen Year Review of Federal Railway Regulation.* The remaining parts, IV and V, containing respectively 415 and 462 pages, are entitled, *A Twelve Year Review of State Railway Regulation*, and *A Twelve Year Review of State Railway Taxation.*

The first of these two gives, *in extenso*, tabulated data of the greatest importance to the student of transportation, covering such subjects as the organization of railway commissions in the different States, the powers and duties thereof, a comparative study of State railroad statutes, including conditions of railroad incorporation, statutory provisions relative to construction, rates, regulation of traffic, etc. In like manner the remaining part, dealing with State taxation of railways is taken up, and a mine of wealth is accumulated for the student of Public Finance.

[1] Will not be printed until 1904.

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The Commission has very properly conceived its duty to be discharged in the collection and arrangement of data, leaving the evaluation thereof to each one for himself. The pity of it is that each one is not able to do so. Moreover, it would be inexcusable in a body of men so well qualified to summarize their convictions, if they should "fail to pluck the fruit of a ripe conclusion." It is with a sense of deepened and fortified conviction, therefore, that we read in an introductory note to Part IV that "the chief embarrassment in the exercise of adequate governmental control is found in the many sources of statutory authority recognized by one form of government." "If uniformity is ever attained at all it must be in one of two ways: first the States must relinquish to the federal government their reserved rights over internal commerce, or, having first agreed upon fundamental principles, they must, through comity and convention, work out an harmonious system of statutory regulation."

If uniformity and simplicity are desired in the matter of railway legislation the same is equally true of railway taxation. In the report before us we have what has long been needed, the basis for intelligent action. That action might well be initiated by the tax-commissions of the several States in a national convention called for the purpose.

The Commission, and especially the chief statistician, Prof. Henry Carter Adams, are deserving of the highest praise for their work. The compilations and tabulations, as well as certain portions of the text of Part V, are the work of Mr. Harold Bowman. Special mention of this fact is made by Professor Adams in his letter of transmittal.

JACOB ELON CONNER

UNIVERSITY OF PENNSYLVANIA
PHILADELPHIA

Select Statutes and Other Documents Illustrative of the History of the United States. 1861–1898. Edited by WILLIAM MACDONALD. New York: The Macmillan Co. 1903. P. 442.

This volume completes the series of which *Select Charters and Other Documents Illustrative of American History, 1606–1775* and

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Select Documents Illustrative of the History of the United States, 1776–1861 form the other two parts. In these three books Professor MacDonald had edited for teachers and students of American History a most valuable collection of documents. For the study of American Politics in colleges and universities the collection is unsurpassed.

In making selections, Professor MacDonald has taken the most *important* rather than the "rare" documents. He has not hesitated to reprint a familiar document because its content is generally known. As a matter of necessity much valuable material had to be left out; and no other compiler would perhaps have made the same selection. But altogether Professor MacDonald's judgment is good, and his purpose to include in the series no document which a serious student of American history and politics can afford to neglect has certainly been realized.

The appearance of these three volumes of source materials on general American history suggests the necessity of similar publications along the line of State and local history. As the teaching of general American history should be supplemented by some consideration of local history, so Professor MacDonald's books should be supplemented in every State by a volume of documents illustrative of the local history of that particular State.

BENJ. F. SHAMBAUGH

THE STATE UNIVERSITY OF IOWA
IOWA CITY, IOWA

Trust Finance, a Study of the Genesis, Organization, and Management of Industrial Combinations. By EDWARD SHERWOOD MEADE. D. Appleton & Company: New York. 1903. Pp. 387.

A book full of interest to the American public, who are giving thought and attention to the trusts, is the work of Dr. E. S. Meade, of the Wharton School of Finance and Economy of the University of Pennsylvania. The writer presents his material in an attractive style, and his pages are fairly alive with narrations of the financial policies and operations of the various combinations which have dom

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inated American industries. The cause of combination and the methods of the promoter are carefully explained; nor does the author hesitate to state his own point of view boldly. Approaching the corporation problem from the side of finance and not of legislation, the conclusion reached is that our corporation law is in need of reform and that "the first essential to such a reform is national control of all corporations."

The American people are beginning to realize the necessity of bringing the large corporations, engaged in interstate commerce, under a more adequate control. But when it comes to a *complete* transference of power from State to national government an instinctive opposition is met regardless of the benefits to be conferred. After reading Dr. Meade's book, however, one is convinced that his advocacy of "national control of all corporations" must mean all corporations the character and operations of which affect the people of all the States, that is, corporations engaged in interstate commerce. With the operations of purely local companies whose activities do not extend beyond municipal or State boundaries, the Federal government need not concern itself. The Commonwealths will see that such do not become oppressive to the people.

Dr. Meade's book is a welcome addition to the rapidly growing literature of the trust question. Besides its interesting narration of the methods and operations of great corporations, there is running through it all an economic philosophy of the trust movement which marks the work as a fertile product of long and thoughtful study.

FRANK E. HORACK

THE STATE UNIVERSITY OF IOWA
IOWA CITY, IOWA

History of the Seventh Iowa Veteran Volunteer Infantry, During the Civil War. By H. I. SMITH. Mason City, Iowa: H. Hitchcock. P. 313.

The author, a member of the regiment from muster-in to muster-out, claims no literary merit for the story herein told. He assures us that it was a "labor of love," performed at the request of many

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comrades. The regiment was mustered July 24, 1861, and went at once to the field. November 7, it participated in Gen. Grant's first battle, Belmont, and out of about 400 men it lost 51 killed, 127 wounded, and 39 taken prisoners—the heaviest loss suffered by any regiment in the engagement.

The Seventh was with Grant at Fort Henry, Fort Donelson, and Shiloh. It was of the storming party at Fort Donelson and was in the "Hornets' Nest" at Shiloh, though it did not hold its position on the latter field until "after the rest of the division were taken prisoners," as stated by the author. The regiment participated in the advance on Corinth, after the battle of Shiloh; also in the battle of Corinth in October, 1862, and followed the fortunes of Sherman in the siege of Atlanta, and in the famous march to the sea and through the Carolinas, as it also participated in the grand review, at Washington, after the final victory.

The Seventh was a fighting regiment from first to last, having to its credit twenty or more battles and skirmishes, and the story of its campaigns is full of interest, though the identity of the regiment is sometimes lost in the larger movements of the great fighting machine of which it was, comparatively, a small part.

There are not a few grammatical and rhetorical blemishes in the work, and there are also some statements of supposed historic facts that need to be tested by official records. A complete roster of the regiment would have added to the value of the history.

J. W. Rich

Iowa City, Iowa

A History of the Mississippi Valley from its Discovery to the End of Foreign Domination. By John R. Spears in collaboration with A. H. Clark. Illustrated. New York: A. S. Clark. 1903. Pp. xx., 416. Price, $5.00 net.

The authors have, by their own confession, not striven to produce a critical history, but rather a readable narrative of the most striking events incident to the opening of the Mississippi Valley to permanent settlement. The work is essentially a popular one and, as such, its

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value will not be questioned. Little use has been made of original documents, but the facts have in general been drawn from reliable sources and are for the most part accurately stated. As is natural, and perhaps allowable, in a work of its kind many anecdotes and statements are introduced, the sober authenticity of which may well be doubted, but, unfortunately, these have often been given the same weight as well established facts and circumstances of the gravest importance. The book is written in a style which, though in the main breezy and entertaining, is often notably flippant and sometimes even coarse.

Two or three crotchets seem to possess the authors. These are succinctly stated in the introductory preface and are recalled at every opportunity throughout the book. One of them is to the effect that the Indian policy practiced by the Quakers and the Moravians, as illustrated by the settlement of Gnadenhutten, should have been adopted in all our dealings with the red man. But it was not and could not have been, and that ends the matter so far as history is concerned. Another notion frequently reiterated is that success in war depends primarily upon skill in marksmanship. Why mere marksmanship has been given this exalted place in the art of waging war, to the exclusion of sanitation, for example, we are at a loss to understand. But, again it does not matter. The point is that the non-professional discussion of such questions forms no part of history proper, either narrative or critical.

Over a hundred illustrations are scattered through the text. Many of these, particularly the portraits, are most excellent. The pen and ink sketches, a number of which are introduced as chapter headings, are worthy of note. There are also numerous maps, but these are not in close enough relation to the text. The press work, typography, paper and binding are all that can be desired.

Upon the whole the book is an interesting and timely one and should, as it doubtless will, be widely read by those who have neither the time nor the taste for a critical study of the field which it covers.

LAENAS GIFFORD WELD

THE STATE UNIVERSITY OF IOWA
IOWA CITY

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NOTES AND COMMENT

The venerable Professor L. F. Parker (Grinnell, Iowa) is chairman of the committee which has charge of the arrangements for the semi-centennial celebration of the founding of the town of Grinnell, Iowa, which is to be held on May 18, 1904.

The *Index* to Volume I of THE IOWA JOURNAL OF HISTORY AND POLITICS, is the work of Bertha Horack Shambaugh.

A check list of the printed public documents of the State of Iowa is now being prepared by Miss Lavinia Steel under the direction of the Executive Council of the State, and the supervision of the Secretary of the Iowa Library Commission. It is expected that the list will be completed and published in a few months.

The people of the State of Iowa and of the whole Nation are pleased to note the appearance, in print, of Senator Hoar's address on *American Citizenship*, delivered at Iowa City, June 17, 1903, at the forty-third annual commencement of the State University of Iowa. This address appears as Bulletin No. 70 (new series) published by the University of Iowa.

A new building has recently been erected near the Capitol at Des Moines which is intended to afford store rooms for the printed public documents of the State of Iowa. With the removal of the materials from the basement of the Capitol to their new home, an inventory is being made of the stock on hand. Such an inventory has long been needed, and will prove of great service in the distribution of the State archives.

Mrs. J. P. Dolliver, of Fort Dodge, Iowa, has recently been appointed to the office of Historian-General of the National Society of the Daughters of the American Revolution.

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A bronze tablet to the memory of the five Revolutionary soldiers buried in Iowa has been placed in the rooms of the Historical Department at Des Moines, Iowa, by the Iowa Daughters of the American Revolution.

During the month of November, 1903, Judge Horace E. Deemer and Judge Emlin McClain each gave a course of lectures before the students at the Law College of the State University of Iowa. Owing to the provisions of the law which will go into operation from and after January 1, 1904, it will not be possible for the Law College to again secure the valuable services of any of the Supreme Court judges.

An article on *Iowa*, which will appear in the forthcoming *Encyclopedia Americana*, is from the pen of Mr. Johnson Brigham. In it the following subjects are briefly discussed: Climate, Geology and Minerals, Soil and Agriculture, Stock-raising, Manufactures, Transportation and Commerce, Banks, Life Insurance, Education, Libraries, Churches, Charities and Penal Institutions, Finances, Population and Divisions, and History.

The prize offered by the Iowa Colonial Dames for the best essay in Iowa history written by an undergraduate of an Iowa college or university was awarded in 1903 to Mr. H. D. Hutchins of Grinnell, Iowa, on a production entitled *The Underground Railroad of Iowa*. A copy of Mr. Hutchins' essay has been filed in the library of the State Historical Society of Iowa.

It is with pleasure that THE IOWA JOURNAL OF HISTORY AND POLITICS chronicles the information that Mr. Irving B. Richman, whose history of *Rhode Island* has at once given him high rank among the historians of our generation, has already begun work upon a book which will bear some such title as *Individualism and the Rise of the United States*. In it Mr. Richman will aim to point out how the United States is heir to the Reformation and the Renaissance. The volume will begin with a critical discussion of Individualism and then attempt to trace the growth and fluctuations of this principle in

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American history from the period of discovery and colonization to the present day. In such an historical survey as his forthcoming work promises to be, Mr. Richman will have opportunity to appear at his best—that of summarizing facts and therein of pointing out the *meaning* of events.

Fort Des Moines is the new United States army post which was formally opened at Des Moines, Iowa, on Friday, November 13, 1903, fifty-seven years after the establishment of an earlier fort of the same name and located at the same place. The earlier fort ceased to exist as a military post in March, 1846. An account of the old fort may be found in the *Annals of Iowa*, 3d series, volume IV, page 161.

From October 12 to 16, 1903, a course of five lectures on *The Development of the Common Law* was given by Sir Frederick Pollock at the Law College of the State University of Iowa.

The *Annals of Iowa* for October, 1903, contains a biographical sketch of *Gen. James A. Williamson*, by Major-General G. M. Dodge; *Iowa in Unorganized Territory of the United States*, by the Rev. William Salter; *An Iowa Settler's Homestead*, by George C. Duffield; and the *Original Survey of the C. B. & Q. R. R. Line*, by (the late) Hon. Alfred Hebard.

The maintenance of the work of the State Historical Society of Wisconsin now costs the State of Wisconsin nearly $45,000 annually.

Dr. J. E. Conner and Mr. T. W. Mitchell, formerly of the Iowa School of Political and Social Science at the State University of Iowa, are now instructing in the Wharton School of Finance and Economy at the University of Pennsylvania, Philadelphia.

On the evening of October 12, 1903, the Political Science Club (Iowa) adjourned in honor of Sir Frederick Pollock who delivered a lecture at Iowa City on *The Foundations of Justice*. From October 12 to December 9, 1903, the papers read at the regular meetings of this club were as follows: October 26, *Some Iowa Mounds*, by Dr.

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Duren J. H. Ward; November 9, *Two Conventions*, by Prof. W. C. Wilcox; November 23, *Traffic and Travel in the Early Roman Empire*, by Prof. A. N. Currier; December 7, *The Recognition of Belligerency and Independence*, by Dr. F. E. Horack. A special meeting of the Club was held on November 13, at which time Prof. T. Gregory Foster of London University gave an address on *The English Education Acts*.

The Animal Industry of Argentina is a seventy-two page report by Mr. Frank W. Bicknell, published by the U. S. Government as Bulletin No. 48 of the Bureau of Animal Industry in the U. S. Department of Agriculture.

An index to some of the files of the older Iowa newspapers has been begun by Miss Mary R. Whitcomb of the Historical Department at Des Moines. Miss Whitcomb's long service in the Historical Department and her familiarity with the materials of Iowa history are promise of a valuable piece of work in newspaper indexing.

Mr. Simeon E. Thomas, at one time Custodian for the State Historical Society of Iowa, is continuing his graduate studies in history at Harvard University.

Dr. Francis Newton Thorpe is the author of *Franklin's Influence in American Education*, which appears as chapter II in the Report of the U. S. Commissioner of Labor for 1902.

On Saturday evening, November 7, 1903, Professor Benj. F. Shambaugh gave an address on *Early Iowa* before the Pilgrim chapter of the Daughters of the American Revolution, at Iowa City, Iowa.

Mrs. E. D. Burbank's paper on *The Iowa Daughters of the American Revolution*, which appears in this number of THE IOWA JOURNAL OF HISTORY AND POLITICS, was read by Mrs. J. P. Dolliver before the Daughters of the American Revolution, at Fort Dodge, Iowa, on November 2, 1903.

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A *Bibliography of Iowa State Publications for 1902 and 1903* is being prepared by Miss Margaret Budington and will probably appear in the July number of THE IOWA JOURNAL OF HISTORY AND POLITICS.

The Thirtieth General Assembly of the State of Iowa will be asked to make an appropriation for the erection of a building or buildings in connection with or as a part of the building in Des Moines known as the "Hall of History." It is proposed that the completed buildings shall accommodate the Historical Department and the General Department of the State Library, the Public Archives of the State, and probably the State Library Commission. It is well known that Mr. Charles Aldrich, founder and curator of the Historical Department, is the originator and father of these building projects. It is fitting that the State of Iowa should now make adequate provision for the realization of his plans. Furthermore it is important that this work be undertaken without delay.

The general rejoicing attending the raising of the flag at the new army post called Ft. Des Moines (at Des Moines, Iowa) adds to the interest manifested in the work undertaken by the Abigail Adams chapter of the Daughters of the American Revolution, namely, that of marking the site of the old post called Ft. Des Moines. The need of protection from the Indians having passed, the old post was abandoned over fifty-seven years ago. While persons who lived in Des Moines in the days of the old fort still survive, the women of this patriotic society intend to collect the data relative to its history and erect a marker to indicate its exact site. In this way they will preserve to the city of Des Moines a bit of history which will increase in interest with the development which comes as the years go by. The movement has met with a cordial reception from the first, and the Daughters of the American Revolution have reason to believe that the Board of Park Commissioners, which has already done so much for the city, will assist in many ways in carrying out the project.

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A thirty-two page "Historical Leaflet" was issued by the Department of Public Instruction in Iowa for the use of Iowa schools, on December 18, 1903, which day was set apart by proclamation of the Governor of the State as "Louisiana Purchase Flag Day." One of the objects of the leaflet was to awaken greater interest throughout the schools of the State in the history of Iowa. The leaflet contains scraps of Iowa history and some appropriate readings.

It is learned that the Century History Co., New York, will not begin to deliver Mr. B. F. Gue's *History of Iowa* before April, 1904.

On Sunday, November 8, 1903, the Rev. William Salter, of Burlington, celebrated the sixtieth anniversary of his ordination to the ministry with special services at the Congregational church. Dr. Salter was one of the famous Andover Band of young ministers who came west in 1840 and settled in Iowa. Fifty-eight of his sixty years of service in the ministry have been spent in the church at Burlington, Iowa. During his later years Dr. Salter has made many contributions to the literature of Iowa history.

Mr. B. L. Wick, of Cedar Rapids, Iowa, author of *Amish Mennonites in Iowa* and joint author with Prof. W. R. Perkins of *The Amana Society or Community of True Inspiration*, spent the months of July and August, 1903, in Europe. He journeyed in Belgium, Holland, Denmark, Germany, and Norway.

Mr. Austin P. Haines, a graduate student in history at Harvard University, has undertaken a study of *Sectional Influences in Iowa.*

A biography of the late Theodore S. Parvin, who was at one time Secretary of the State Historical Society of Iowa, will be prepared and published under the auspices of the Iowa Masonic Grand Lodge. For more than fifty years Dr. Parvin was Grand Secretary of this lodge in Iowa. The work of preparing the biography has been entrusted to Mr. Jos. E. Morcombe of Cedar Rapids, Iowa. Mr. Morcombe is correspondence reporter for the Grand Lodge, and has

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already written much concerning Dr. Parvin and his work. If Mr. Morcombe's present plans are carried out the biography of Theodore S. Parvin will be a valuable addition to the early history of Iowa.

The announcement of the *Seminar of American History and Institutions* at Harvard for the year 1903–1904 contains three names from Iowa: Mr. Simeon E. Thomas, Iowa City; Mr. Dwight G. McCarty, Emmetsburg; and Mr. A. P. Haines, Grinnell.

Mr. F. W. Beckman, member of the State Historical Society of Iowa, has accepted a position on the *Register and Leader*, Des Moines, Iowa. Formerly Mr. Beckman was editor of the *Council Bluffs Nonpareil*. He is a graduate of the State University of Iowa.

The third annual meeting of the Iowa Park and Forestry Association was held in Des Moines, Iowa, on December 7 and 8, 1903.

Dean Charles Noble Gregory, of the Law College of the State University of Iowa, read a paper on *Jurisdiction over Foreign Vessels in Territorial Waters*, before the International Law Association, at the Antwerp meeting in October, 1903.

At the coming session of the Thirtieth General Assembly of Iowa an effort will be made to secure the introduction and passage of a bill regulating child labor in the State. Committees have already been appointed by the Iowa State Federation of Labor, the Iowa Federation of Women's Clubs, and the Iowa Branch of the Association of Collegiate Alumnæ to recommend and urge the passage of such a measure.

Mr. A. N. Harbert, of Shellsburg, Iowa, has recently had copies made of several portraits of Albert M. Lea, the man who named Iowa.

Mr. Dwight G. McCarty, of Emmetsburg, Iowa, recently elected to membership in the State Historical Society of Iowa, is making a study of *The Governors of the Territory of the Old Northwest*.

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Dispatches from Prague, Oklahoma Territory, dated October 27, 1903, announced the death, at the Sac and Fox agency, of the Indian chief Keokuk, a son of the Chief Keokuk, famous in early Iowa history.

Volume V of the *Messages and Proclamations of the Governors of Iowa* is now in press; and it is hoped that the book will be issued before the first of February, 1904. It will contain the messages and proclamations of Governors Gear and Sherman.

Mr. Harold M. Bowman, who has recently made a valuable contribution to the literature of Iowa history and politics in a monograph entitled *The Administration of Iowa*, has accepted a position at Dartmouth College, Hanover, New Hampshire.

Dr. J. L. Pickard, Ex-President of the State Historical Society of Iowa, after visiting in Iowa City, Minneapolis, and Chicago during the summer and fall of 1903, has gone to Cupertino, California, where he will live with his daughter.

Mr. Irving B. Richman's *Rhode Island* has been well received both in England and America. Indeed the universally favorable notices of this work are quite remarkable. It is gratifying to read the following in a three-column review in the London *Speaker:* "Mr. Richman's book is certainly by far the most complete account of early Rhode Island that has yet been put forth. He has grasped the deeper meaning of the events he narrates; he has therefore been able to rise above the level of the mere annalist, and attain that of the real historian."

A bibliography of Iowa public documents is now being compiled for publication by the State Historical Society of Iowa. This compilation will include: (1) the constitutions of Iowa, journals of the Iowa constitutional conventions, and debates of the said conventions; (2) the codes of Iowa; (3) the statute laws of Iowa; (4) the journals of the upper and lower houses of the legislatures of Iowa; (5) the Iowa legislative documents; and (6) the reports of the supreme court of Iowa.

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The State Historical Society of South Dakota was organized January 23, 1901; and by an act of the General Assembly of February 5, 1901, "The Department of History of the State of South Dakota" was established. The administration of the duties of the Historical Department thus created were vested in and conferred upon the State Historical Society. By this act the Society became a trustee of the State, its organization and duties being defined by law. The appropriations secured by the Society are small, but the Society is nevertheless to be congratulated upon the excellent character of the work it has already accomplished.

Some of the vital statistics incorporated in the report of the Iowa State Board of Health will undoubtedly be of interest to the general reader as well as to the student of sociology. The report shows that in 1901 there were 56,347 births reported in the State of Iowa, while in 1902 there were but 46,759—a decrease of 9,598. The marriage statistics, however, show that there has been an increase of 276 marriages in 1902 over the number reported in 1901. Iowa will now be in danger of being cited as a terrible example of "race suicide." The number of deaths in Iowa in 1901 was 14,003, which number decreased in 1902 to 12,497—a decrease of 1,506.

Volume I of the *Collections* of the State Historical Society of South Dakota contains, besides the *Biennial Report* of the Society to the Governor, the following articles of historical interest: *Biographical and Analytical Sketch of William Maxwell Blackburn, D. D., LL. D.*, by Thomas Lawrence Riggs; *History of North and South Dakota*, by Dr. William Maxwell Blackburn, with copious editorial notes by Dr. De Lorme W. Robinson; *Radisson and Grosseliers' Travels in the West*, with comment and notes by Professor Robert F. Kerr; *Official Correspondence of the Leavenworth Expedition into South Dakota for the Conquest of the Ree Indians in 1823*, with extensive editorial notes by Doane Robinson; *Old Fort Pierre and Its Neighbors*, by Major Wilson of the U. S. Army, with illuminating and critical notes by Hon. Charles E. DeLand; *Official Cor-*

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respondence Relating to Fort Pierre. The Appendix contains *Treaties with Indians Opening Dakota Soil to Settlement.* In addition to the *Collections*, the Society issues an *Annual Review of the Progress of South Dakota* which contains general statistical material.

To the lectures and dates given in the October, 1903, number of THE IOWA JOURNAL OF HISTORY AND POLITICS (p. 548) the following may now be added as a part of the schedule of Professor W. C. Wilcox, Curator of the State Historical Society of Iowa: A course on *Six Critical Points in American History*, at Muscatine, Iowa, with dates and subjects as follows: *The Crisis in the Struggle for Race Supremacy*, Oct. 28, 1903; *The Crisis in the Struggle for Independence*, Nov. 6, 1903; *The Struggle for Union*, Dec. 2, 1903; *The Crisis in the New Government*, Dec. 11, 1903; *The Crisis in the Maintenance of Independence*, Jan. 8, 1904; *The Crisis in the Inevitable Conflict*, Jan. 22, 1904. To these may be added, an address at Saint Katherine's School, Davenport, Iowa, Nov. 11, 1903, on *The Eastern Question*, and a lecture at Waterloo, Iowa, Nov. 13, 1903, on *James G. Blaine, the Statesman of the Republican Party.*

In Dr. O. N. Nelson's *History of the Scandinavians and Successful Scandinavians in the United States* the following subjects are treated in volume II: *Historical Review of the Scandinavians in Iowa*, by O. N. Nelson; *Historical Review of the Scandinavian Schools in Iowa*, by J. J. Skordalsvold; *Historical Review of the Scandinavian Churches in Iowa*, by O. N. Nelson and J. J. Skordalsvold; *Historical Review of the Iowa Conference of the Augustana Synod*, by the Rev. Jos. A. Anderson; *Historical Review of the Iowa District of the Norwegian Synod*, by the Rev. Adolph Bredesen; and *Biographical Sketches of Scandinavians in Iowa.*

It is to be regretted that the bill providing for the survey and preservation of mounds, which was introduced at the last session of the Wisconsin legislature, was "indefinitely postponed." In reference to the importance of this work, the Governor of Wisconsin said in his message of January 15, 1903: "I am of the opinion that some

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investigation should be made along ethnological and anthropological lines. Within a few more years civilization's obliterating influences will have removed the possibility of a successful conduct of this important historical work."

During the first two weeks of December, 1903, Professor Arthur Fairbanks, President of the Iowa Society of the Archæological Institute of America, delivered lectures at Madison, Chicago, Detroit, Cleveland, New York, Baltimore and Washington, D. C., under the auspices of the Archæological Institute of America.

THE FLOYD MONUMENT

On the evening of September 25, 1903, during a severe electrical storm, the Floyd monument, which stands on Floyd's bluff some three miles southeast of central Sioux City, was struck by lightning. The damage done to the shaft was not severe. The apex was shattered for about six feet down. In addition to this, a large stone, weighing some two tons and being about ten feet above ground, was moved out of place in a peculiar manner.

The cost of repairing the monument has been about $1,000, an expense out of proportion to the real damage done because a scaffolding reaching to the top must be again constructed. The Floyd Memorial Association, which erected the monument and which continues in existence, raised the necessary funds and made the repairs.

The Floyd monument is a beautiful shaft 100 feet in height. It was designed by Capt. H. M. Chittenden, U. S. Engineer, under whose supervision it was completed in 1901. The material used was Kettle river sandstone.

Charles Floyd, to whose memory the shaft was reared, was a Sergeant of the Lewis-Clark expedition, who died on August 20, 1804, three months and four days after the expedition started up the Missouri, and was buried on the bluff where the monument now stands. His grave, marked by a cedar post, became a famous landmark and was visited from 1804 to 1840 by many early travelers and explorers, among whom were Bradbury, Brackenridge, Catlin and Nicollet.

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The cedar post having rotted away, the site was lost to the public for a few years; but in 1857 the Missouri river had eaten so far into the bluff as to expose the remains. These were secured by citizens of the new town of Sioux City and reburied about six hundred feet farther east, May 28, 1857. After some years the exact site again became lost to the public; but on memorial day, 1895, it was rediscovered and unmistakably identified.

An association established to perpetuate the memory of Sergeant Floyd was organized at the grave June 6, 1895, and incorporated August 20, 1895. On the latter date, which was the ninety-first anniversary of Floyd's death, elaborate memorial exercises were held at the grave, and a slab, suitably inscribed, was placed horizontally thereon.

The Association then gave its energy to the task of erecting a fitting monument. In 1899, Hon. Geo. D. Perkins secured an appropriation of $5,000 from Congress. In 1900 the Iowa State legislature appropriated another $5,000. Sioux City appropriated $1,500, and the Association contributed $600, raised by popular subscription.

The concrete foundation was laid May 29, 1900, and the corner stone placed with appropriate ceremony on August 20, 1900, the ninety-sixth anniversary of Floyd's death. On memorial day, 1901, was dedicated this splendid shaft which marks the grave of the first United States soldier to die and be buried in the then new Louisiana Purchase. To several persons is due jointly the credit of bringing to a successful conclusion this noble work; but especial credit is due Mr. John H. Charles, the venerable President of the Floyd Memorial Association, who recently remarked, "The monument must and shall be repaired, even if I have to bear the total expense myself."

F. H. G.

THE DEATH OF FRANCIS M. DRAKE

On Friday, November 20, 1903, Francis M. Drake, Ex-Governor of the State of Iowa, died at Centerville, Iowa, where he was buried on Monday, November 23. Several years ago Governor Drake filled out and signed with his own hand a blank which was sent to him as

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follows:—*Name*—Francis Marion Drake. *Date of Birth*—December 30, 1830. *Native State or Country*—Illinois. *Nationality*—American. *Several places of residence (with dates) before coming to Iowa*—None. *Date of removal to Iowa*—June, 1837. *Place of residence in Iowa at time of election to the office of Governor*—Centerville. *By what political party elected*—Republican. *Dates of term or terms of office as Governor*—Jany. 1896 to Jany. 1898. *Occupation at the time of and before election*—Railroad and Banking. *Offices held before election to the office of Governor*—None. Signed—F. M. Drake.

B. F. S.

THE GRINNELL SEMI-CENTENNIAL CELEBRATION

Arrangements have been made to celebrate the Semi-Centennial of the founding of Grinnell, Iowa. The day selected is May 18, 1904.

It was about fifty years ago that the Rev. J. B. Grinnell, then of New York City, issued a call to those who might sympathize with him along certain religious and educational lines to join him in founding a town somewhere west of the Mississippi river. The State of Iowa was then seven years old, and the earliest settlers in the groves of Poweshiek County had been there only about nine years.

Three men responded to Mr. Grinnell's invitation. The four represented Maine, New York, and Ohio. They united in choosing a location "far out upon the prairie"—the present site of Grinnell. One of those men, Hon. Henry M. Hamilton, now of New Jersey, still lives; and on the Semi-Centennial day he proposes to speak for himself. Hon. J. B. Grinnell is to be represented by his son-in-law, the Rev. David O. Mears, D. D., of Albany, N. Y. Dr. Thomas Holyoke will be represented by his brother-in-law, Professor James Irving Manatt, LL. D., of Brown University. And the fourth founder, the Rev. Homer Hamlin, will be represented by Prof. L. F. Parker. Music for that occasion will be furnished by present and former residents of the town, among whom are such eminent soloists as Prof. Atlantic Phelps of Chicago, Mr. Harry Hanlin, late of Italy, and Mr. Herbert S. Miller, late of Paris.

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After these morning exercises, a procession will be formed to visit Hazlewood cemetery and to crown the graves of the three founders who rest there. This exercise will be followed by a dinner and several brief addresses or responses to toasts by citizens and guests. It is desired that the celebration shall be much more than a pleasant occasion which will soon fade away into shadow. Consequently several committees have been chosen, and all have been invited to make such written contributions to local history as they may be able. These are all to be preserved in the Stewart Library for future reference.

The origin of Grinnell was somewhat unique. It was not a colonial union into which men were drawn by relationship or by personal solicitation or even by masterful business considerations. Much less was it an accidental combination of men agreeing only in a feverish haste to get rich. The four founders met as strangers. A moral and educational purpose brought them together. That purpose attracted men who cherished a kindred purpose. Neither did they nor did those who joined them ignore individual or family interests, while they cherished a special regard for the general good.

The semi-centennial of such a community will not be, merely or mainly, a review of individual history or of financial progress, but largely a notice of principles and of the expansion of ideas of general interest. It is hoped that the celebration will be largely attended, and that it will be an agency of value in preserving the memory of some of the wide spread and best elements in the development of the State.

L. F. P.

THE SIXTH ANNUAL MEETING OF THE LEAGUE OF IOWA MUNICIPALITIES

The sixth annual meeting of the League of Iowa Municipalities was held in Waterloo, Iowa, October 14 and 15, 1903. The general interest manifested in the work of this league is evidenced by the increasing attendance at the annual meetings. The program of the last meeting shows that the municipal officials of Iowa are becoming keenly awake to the vital problems of municipal administration.

An interesting feature of this program was the fact that the dele-

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gates from towns of less than 2,000 went into special session on the afternoon of the first day. Before these delegates Professor A. Marston, of the Iowa Agricultural College spoke on *Sewerage Systems for Towns*, and Professor C. S. Magowan, of the State University of Iowa, discussed the subject of *Fire Protection for the Smaller Towns of the State.*

In the general session of the first day, and in addition to the reports of committees, Mr. William Horrabin, of Iowa City, who constructed the famous dry run sewer at Waterloo, read an interesting and instructive paper on *Concrete Sewers.* Mr. Merritt Greene, President of the Iowa Good Roads Association, read a paper on *The Duty of the Municipality to Good Roads.* The Hon. F. R. Conaway, Secretary of the Iowa Louisiana Purchase Commission, addressed the league upon the *Louisiana Purchase Exposition and the League of Iowa Municipalities.*

In the evening the delegates enjoyed a unique banquet in the dry run sewer, which was especially lighted, heated, and decorated for the purpose.

At the morning session of the second day, Mr. J. B. Marsh read a highly instructive paper on *Concrete Bridges.* Mr. L. A. Wilkinson, of Des Moines, an expert accountant, read a paper of much interest on *Municipal Accounting.* In the afternoon, Dr. J. F. Kennedy, Secretary of the Iowa State Board of Health, gave an excellent address on *The Responsibilities of Local Boards of Health.*

The officers of the League elected for the next year are:—President, P. J. Martin, Waterloo; First Vice-President, C. D. Ruslon, Cedar Rapids; Second Vice-President, A. N. Alberson, Washington; Third Vice-President, A. H. Northrup, Fort Dodge; Secretary, F. G. Pierce, Marshalltown; Treasurer, Richard Valentine, Mason City; Trustees, F. K. Stebbins, Iowa City, H. C. Hemenway, Cedar Falls, and J. H. Walters, McGregor. F. E. H.

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THE ACADEMY OF SCIENCE AND LETTERS OF SIOUX CITY

During the last quarter there was organized in Sioux City, Iowa, an Academy of Science and Letters, duly incorporated under State laws.

The Academy is an outgrowth of an older organization known as the Scientific Association of Sioux City, which was provisionally organized on December 23, 1885, and on January 6, 1886, was incorporated by J. C. C. Hoskins, J. Perrin Johnson, D. H. Talbot, A. W. Erwin, E. H. Stone, E. H. Hubbard, and C. R. Marks. This Association which speedily grew to a membership of some fifty individuals has enjoyed an honorable and prosperous career.

Desiring, however, to enlarge the scope of its organization and to intensify its work, the Scientific Association has recently joined hands with the Science Club and the Political Science Conference of Morningside College in the organization of the new Academy of Science and Letters, the purposes of which are stated in the Articles of Incorporation as follows: "The objects of the Academy shall be: First, original investigation in Science, History, Sociology, and other branches of knowledge, and the promotion of the study thereof; Second, the publication of the proceedings of the Academy and such original papers as shall be deemed profitable; Third, to maintain a museum and a library and to provide for public meetings for the delivery of papers and lectures."

Following this general outline of its purposes, the Academy has already commenced the systematic study of subjects of general scientific interest, of local and Northwestern history, of the sociological conditions of Sioux City, of surrounding Indian tribes, of local and northwestern geology, etc. Indian mounds of the Northwest are to receive special attention.

The officers chosen for the ensuing year are: President, John H. Charles; Vice-President, Geo. W. W. Wakefield; Secretary, H. C. Powers; Treasurer, John Amerland; Editor, Professor A. N. Cook; Librarian, Prof. F. H. Garver; Curator, G. B. Healy.

The Academy desires to exchange publications with institutions of similar nature. F. H. G.

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THE IOWA ANTHROPOLOGICAL ASSOCIATION

In the year 1859 the foundation law of the evolution of life was first published to the world through Darwin's *Origin of Species*. At the same date the Société d'Anthropologie de Paris was formed. Four years later The Anthropological Institute of Great Britain was organized; and in that year, also (1863), Sir Charles Lyell put forth his remarkable work on *The Antiquity of Man*. Since then the study of man according to the natural laws of life has rapidly grown into definite system. In 1902, in an address before the American Association for the Advancement of Science, Professor Putnam of Harvard said: "Anthropology is now a well established science." Indeed, it has come to be the prevenient instrument for the concentration of Science upon man.

For many years past work in Anthropology and Archæology has been done by men of science in Iowa. But during the last two or three years the feeling has grown that the time for organized effort was approaching. Several circumstances have coöperated to make that time the present.

And so, after some consultation, a meeting of a score of people was held in the rooms of the State Historical Society of Iowa, at Iowa City, on Monday evening, October 5, 1903. The purpose of this meeting was the consideration of the question of forming an Anthropological Association for the State of Iowa. Professor Samuel Calvin was elected chairman, and Dr. Duren J. H. Ward was chosen to act as Secretary *pro tem*. An extended discussion took place as to the character of the association contemplated and the character and sphere of other allied societies, such as the State Historical Society of Iowa, the Iowa Branch of the Archæological Institute of America, the Pan-racial Institute, and Valdris Samband. The assembly then proceeded to take up the question of a name and constitution. The following was adopted:

PREAMBLE

Believing that knowledge both of earlier and later man is now so far advanced as to render it possible to collect and systematize numer-

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ous archæological, biological, sociological, ethnical and historical facts; and wishing to coöperate in this important movement of Science;

Therefore, the undersigned unite to form THE IOWA ANTHROPOLOGICAL ASSOCIATION.

CONSTITUTION

I. This Association shall have its headquarters at Iowa City, Iowa.

II. Its object shall be to promote the Science of Anthropology.

III. It shall hold a yearly meeting for the hearing of reports, papers, and projects, and for the election of officers. Other meetings may be arranged for and held from time to time.

IV. It shall elect a President, Vice-President, Secretary and Treasurer, and an Executive Board. The Executive Board shall consist of the President, Vice-President, Secretary, Treasurer, and five additional members. Five members of the Board shall constitute a quorum.

V. The Executive Board shall meet quarterly, and at the call of the President or on the request of two other members.

VI. The Executive Board shall publish the purposes, programs, reports, papers, etc., of the Association through whatever means it finds most practicable.

VII. Membership is obtained by the approval of the Executive Board, and the payment of one dollar annually.

VIII. This Charter Constitution may be amended at any annual meeting by a two-thirds vote of the members present and voting, provided notice of the proposed amendment has been given in the call for the meeting.

The names of those who signed the constitution of the Iowa Anthropological Association as charter members are as follows:

SAMUEL CALVIN,	T. J. FITZPATRICK,
ISAAC A. LOOS,	DUREN J. H. WARD,
J. W. RICH,	JOHNSON BRIGHAM,
DAVID BRANT,	J. H. PAARMANN,

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Ruth H. Brant,	Arthur G. Smith,
Harry G. Plum,	C. F. Ansley,
A. A. Veblen,	Henry Negus,
Leanas G. Weld,	William Craig Wilcox,
Benjamin F. Shambaugh,	C. E. Seashore,
F. J. Becker,	B. Shimek,
C. C. Nutting,	Thomas H. Macbride,
William J. Brady,	George T. Flom,
Frederick E. Bolton,	Arthur Fairbanks,
Frank E. Horack,	Horace E. Deemer.

After the above constitution had been agreed upon, article by article, Dr. Duren J. H. Ward was elected to the office of Secretary. The assembly then adjourned to meet at the call of the Secretary for the purpose of electing the other permanent officers provided for in the Constitution.

The second meeting was held on Saturday evening, October 17, 1903, and the following officers were elected: Samuel Calvin, President; J. H. Paarmann, Vice-President; Frederick E. Bolton, Treasurer; J. W. Rich, F. J. Becker, H. G. Plum, B. F. Shambaugh, and A. G. Smith, members of the Executive Board.

At a later meeting of the Executive Board the following By-Laws were adopted:

I. The officers of the Association shall serve as the officers of the Executive Board.

II. Money shall be paid out of the Treasury of the Association only upon warrants issued by the President and the Secretary upon the order of the Executive Board.

III. The By-Laws may be amended by the Executive Board at any regular meeting by a two-thirds vote of the members present.

It is expected that the first yearly meeting of the Iowa Anthropological Association will be held during the last week in January, 1904. To this meeting a whole day will be devoted. The program, which is now being arranged by the Executive Board, will consist of short addresses on such subjects as: Archæology as an Instrument

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of Anthropology; the Human Race from the Standpoint of Biology; the Relation of Anthropology to Sociology; the Mode of the Deposition of the Loess and the Consequent Difficulty in Determining the Age of Human Remains; the Light that Physiographic Studies Throw on Anthropological Problems; the Lessons of Anthropology for Education; the Contribution of Philology to Anthropology through Mythology; the Trend of Invention; the Work of the Davenport Academy of Sciences in Anthropology; and the Relation of Anthropological Work to Iowa History. Among those who are expected to take part in these discussions are Professor Arthur Fairbanks, Professor B. Shimek, Professor C. C. Nutting, Professor I. A. Loos, Professor F. G. Wilder, Professor F. E. Bolton, Professor Geo. T. Flom, Professor R. T. Wells, and Mr. J. H. Paarmann. In the evening a public address will be given by some one eminent in the field of Anthropology. At this time, however, the program is provisional and tentative.

The plans of the Association are of course not matured at this early stage, but it is safe to say that it will at once enter upon the propagation of a more general interest in the Science of Man and the encouragement of the preservation of the old landmarks and earthworks made by former races inhabiting the State of Iowa.

THE IOWA SOCIETY OF THE ARCHÆOLOGICAL INSTITUTE OF AMERICA

In 1902 there was established at Iowa City, Iowa, "The Iowa Society of the Archæological Institute of America." As its name indicates, the Iowa Society is affiliated with the "Archæological Institute of America" which was founded in the year 1879 in Boston.

The purpose of the Archæological Institute of America is "to promote and direct archæological research. This purpose it seeks to accomplish by aiding the maintenance of schools for archæological study in Athens, Rome and Jerusalem; by sending out expeditions for special investigation; by assisting the efforts of independent explorers; by publishing the results of explorations and research; by holding general meetings for the reading and disscussion of papers

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on archæological subjects; and by disseminating exact information in regard to the progress of research by means of free public lectures under the auspices of Affiliated Societies. The activities of the Institute have thus far been limited to four fields of archæological interest — Greek, Roman, Oriental, and American. * * * *

"In the field of American archæology the policy of the Institute from the beginning has been to cöoperate with the agencies already existing by which the work of exploration and research has been so well organized and so effectively conducted; it aims to supplement their activities, avoiding all duplication of facilities. Under its direction a Fellow of the Institute is now prosecuting researches in Central America."

Special volumes relating to Archæology are prepared from time to time and published by the Institute. *The American Journal of Archæology* is a quarterly periodical published for the members of the Institute.

The officers of the Iowa Society are as follows: President, Professor Arthur Fairbanks, Iowa City; Vice-Presidents, Professor J. H. P. Main, Grinnell, Iowa, and Professor W. S. Ebersole, Mt. Vernon, Iowa; Secretary and Treasurer, Mrs. Max Mayer, Iowa City, Iowa; Executive Committee, Professor Arthur Fairbanks, Mrs. Max Mayer, Professor L. G. Weld, all of Iowa City, Iowa.

During the year 1903 the following lectures were given under the auspices of the Iowa Society: Monday, Feb. 2, Professor A. L. Frothingham, Jr. Ph.D., of Princeton University, on *Roman Triumphal Arches, Especially the Arch at Beneventum;* Wednesday, March 25, Professor Paul Shorey, Ph. D., of Chicago University, on *Realism and Idealism in Greek Literature and Art;* Monday, April 6, Professor J. R. S. Sterrett, of Cornell University, on *The Troglodytes of Cappadocia, or the Cave Dwellers of Asia Minor.*

During the year 1904 lectures are expected from Dr. W. J. McGee of the Smithonian Institution, and Professor George F. Moore of Harvard University. B. F. S.

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THE SIXTH IOWA STATE CONFERENCE OF CHARITIES AND CORRECTIONS

The sixth annual meeting of the Iowa State Conference of Charities and Corrections was held at Des Moines, Iowa, November 10, 11, and 12, 1903. Governor Cummins gave the address of welcome at the first session, in which he urged the transference of the pardoning power from the executive to the judiciary. Rabbi Sonnenshein of Des Moines, responded to the Governor's address, which was followed by the address of the president of the conference, Judge G. S. Robinson of Sioux City. The principal address of the evening was given by Rev. G. L. Cady of Iowa City, on *Necessity for Closer Organization in Charities.*

The second day of the conference, meetings were held morning, afternoon, and evening. At the morning session Mr. Ernest P. Bicknell, General Superintendent of the Chicago Bureau of Charities, read a paper entitled *Organization of Municipal Charities*, and Dr. Frank I. Herriott, of Drake University, read a paper on *State and County Care of the Poor.* This paper created a good deal of comment and discussion, from the fact that Dr. Herriott maintained that it would be cheaper for the State to keep its poor at the "Savery" or the "Kirkwood" hotels than in the present county poor farms.

The afternoon session was opened by a paper on *The Friendly Visitor*, by Miss Jessie Binford of Marshalltown. Miss Charlotta Goff, Assistant Secretary of the Associated Charities, Washington, D. C., discussed the topic of *Needy Families in their Homes.* The various phases of the subject of *Homes for Dependent Children* was discussed by Rev. W. H. Slingerland, State Superintendent Iowa Children's Home Society, and by Mrs. E. H. Carter, Secretary of the Des Moines Home for Friendless Children.

In the evening Professor Wyckoff of Grinnell, gave an address on *Vagrancy and Its Correction*, followed by a general discussion of the *Necessity of Legislation to Prevent the Desertion of Families* by Mr. John Beardsley, General Secretary Associated Charities, Des Moines.

At the morning session of the third day, Judge Deemer of the Su-

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preme Court of Iowa, gave an address on *Indeterminate Sentences*, advocating the adoption of the indeterminate sentence as part of the criminal legislation of the State. Judge Kinne of the Board of Control, and Mr. W. A. Hunter, warden of the State penitentiary at Anamosa, spoke in favor of its adoption.

Professor F. E. Haynes of Morningside College, spoke on *State Reformatories*.

The afternoon session of the last day was opened by Mrs. A. M. Waterman, Matron of the Womens' Department of the Anamosa Penitentiary, by an address on *Reformatories for Women* which, after discussion of the subject, was followed by a paper on *Child Labor and Factory Inspection* by Mr. E. D. Brigham, Commissioner of Labor for Iowa.

At the annual business meeting the following officers were elected for the ensuing year: President, Judge G. S. Robinson, Sioux City; 1st Vice-President, Supt. Miles, Eldora; 2nd Vice-President, Prof. G. P. Wyckoff, Grinnell; Treasurer, Mr. H. S. Hollingsworth, Des Moines; Secretary, Mr John Beardsley, Des Moines; Executive Committee, Judge G. S. Robinson, Sioux City, Mr. John Beardsley, Des Moines, Prof. Isaac A. Loos, Iowa City, Dr. E. Luther Stevens, Des Moines, and Dr. Agnes Eichelberger, Sioux City.

The next meeting of the conference will be held in Sioux City, in November, 1904.

The organization will probably urge a Child Labor Law, and the establishment of Juvenile Courts, before the General Assembly this winter. C. W. W.

THE HISTORICAL FUNCTION OF THE PUBLIC LIBRARY IN IOWA

The following suggestion to the public libraries is taken from an address on *The Work of the State Historical Society of Iowa* delivered before the Iowa Library Association at the Marshalltown meeting in October, 1903:—

It is suggested that the historical function of the public library in Iowa is to collect and preserve the materials of State and local history. And herein the public library should aim:

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First; to place on its shelves the standard works on general American history.

Second; to add to its collection all books, pamphlets, etc., bearing upon the history of Iowa—including the public documents of the State (e. g. the State Laws, the House and Senate Journals, the set of Legislative Documents, the Supreme Court Reports, Official Register, etc.).

Third; to collect and preserve the materials of local history, that is, all matter of historical importance touching the life of the community in which the public library is located. Under this head would come, (a) files of the local newspapers and sets of periodicals and journals published in the community, (b) official publications of the town and county in which the library is located (e. g. city ordinances, school laws, and reports of county officers), (c) local town or city directories, (d) announcements, programs, proceedings, etc., of all local literary, scientific, political, philanthropic, educational, fraternal, and religious clubs and organizations, (e) books, pamphlets, articles, etc., written by men and women who live in the community in which the library is located, (f) photographs and autographs and autograph letters of prominent citizens, and (g) a scrap book containing clippings relative to the local community.

Fourth; to set aside a room and shelves for the use of a local historical society. B. F. S.

THE STATE HISTORICAL SOCIETY OF IOWA

According to a resolution of October 16, 1903, the Board of Curators meets regularly on the evening of the first Wednesday of every month.

All persons, libraries, and institutions on the mailing list of the Society and not receiving the publications promptly are urged to notify the Secretary.

Mr. Jacob Van der Zee, who acted as assistant in the library during the year 1902–1903, has been employed for the year 1903–1904.

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Recent receipt by Miss Margaret Budington, the librarian, of the proof sheets of Mr. R. R. Bowker's provisional list of Iowa publications indicates that the completed work will soon appear. It will supplement parts 1 and 2 of Mr. Bowker's *State Publications*, which have already been published and which include publications of the New England and North Central States.

The Mason City Public Library has recently sent in an order for all of the publications of the State Historical Society of Iowa. This is but one of many indications of a growing interest in the literature of Iowa history.

The State Historical Society has sent out to all of its library members copies of a monograph of 112 pages entitled *Iowa City, a Contribution to the Early History of Iowa.* This is one of Professor Shambaugh's first contributions to the history of his native State, and was published in 1893, by the Society. To all members of the society have been mailed copies of the *Twenty-fourth Biennial Report of the Board of Curators of the State Historical Society of Iowa to the Governor of the State.* Others desiring this report may have the same upon application to the Secretary.

From Mr. A. N. Harbert of Shellsburg, Iowa, the library has received a copy of the *Message from the President of the United States in Relation to the Disputed Boundary Line between the State of Missouri and Territory of Iowa;* also, a copy of the *Constitution of the State of Iowa adopted in Convention, November 1, 1844.*

An addition to the exchange list of the Society is the Southern History Association. This Association was organized at the Columbian University, Washington, D. C., April 24, 1896, for the purpose of studying the history of the Southern States. The Association issues a bi-monthly publication, of which Mr. Colyer Meriweather is editor.

Matter is being collected for the compilation and publication of a volume of documentary material relating to the history of political parties in Iowa.

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CONTRIBUTORS

CHARLES OSCAR PAULLIN, Graduate Student in History at the University of Chicago. Born in Ohio. Graduated from the Catholic University of America in 1897. Nautical Expert in the United States Hydrographic Office from 1896 to 1900. Was Fellow in Political Science at Johns Hopkins University in 1901 (Resigned). Member of the American Historical Association. Author of *Naval Administration in the Southern States during the Revolution.*

DUREN J. H. WARD, Secretary of the Iowa Anthropological Association. (See January, 1903, number of THE IOWA JOURNAL OF HISTORY AND POLITICS, p. 135).

GEORGE EVAN ROBERTS, Director of the Mint, Washington, D. C. President of the Register and Leader Company, Des Moines, Iowa. Born in Delaware County, Iowa, 1857. Sometime editor of the *Fort Dodge Messenger*, and State Printer for Iowa. Author of *Iowa and the Silver Question; Money, Wages, and Prices*, etc.

JOHN J. LOUIS, Superintendent of Public Schools at Harlan, Iowa. Formerly Principal of the Harlan High School. Born at Harlan, Iowa, in 1877. Graduated from the State University of Iowa in 1899; and received the M. A. degree from the same institution in 1903.

CAROLINE CLIFFORD BURBANK, Member of the State Historical Society of Iowa. Sometime Historian for the Iowa Daughters of the American Revolution. Graduated from Northwestern University in 1890. Taught in the Evanston Township High School from 1890 to 1892, and in the Blue Island High School in 1892–1893. Present address: 734 Seventeenth Street, Des Moines, Iowa.

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THE AMERICAN POLITICAL SCIENCE ASSOCIATION

The American Political Science Association was organized at New Orleans, December 30, 1903, at the time of the annual meeting of the American Economic and Historical Associations. Prominent men from various sections of the country were in attendance at these meetings and took part in the organization of the new society. It is the result of a movement that was begun more than a year ago. On December 30, 1902, there was held at Washington, D. C., a meeting called for the purpose of considering the advisability of organizing an association for the promotion of the study of comparative legislation. During the discussion that occurred at this meeting it was suggested that a society ought to be formed which should do for the entire field of Political Science a work similar to that of the American Economic and Historical Associations. The opinion was expressed that the proposed society should not confine its efforts to the field of comparative legislation, but should include within its sphere the subjects of politics, jurisprudence, administration, diplomacy, and the other departments which properly belong to the general subject of Political Science. As a result of the discussion, a committee of fifteen was appointed to ascertain, through correspondence, the demand that existed for the proposed society. Communication was had with many eminent lawyers, statesmen, and political scientists; and it soon became apparent that

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among those most directly interested in Political Science, there was an almost unanimous demand for a society to represent their intellectual interests. The committee, therefore, issued a call for a meeting at New Orleans at which their report would be made and some definite action might be taken. This meeting was held on December 30. A constitution was adopted, officers were elected,[1] and plans were formulated for the work of the society.

The purpose of the American Political Science Association is to promote the scientific study of the great problems of Political Science. This purpose is to be accomplished, to quote from the circular letter from the secretary of the association, "by bringing into closer personal contact those interested in this general field of thought, by encouraging research, by furnishing at its annual meetings opportunities for discussion, by aiding—to the extent of its financial ability—in the collection of valuable material, and by the publication of important papers." It is the hope and purpose of the association to interest not only those engaged in

[1] The following officers were elected for the first year:

President, F. J. Goodnow, Professor of Administrative Law, Columbia University; First Vice President, ————————; Second Vice President, Paul S. Reinsch, Professor of Political Science, University of Wisconsin; Third Vice President, Hon. Simeon E. Baldwin, of New Haven, Conn.; Secretary and Treasurer, W. W. Willoughby, Associate Professor of Political Science, Johns Hopkins University.

Associated with these in the government of the Association were elected the following members of the Executive Council:

Hon. Andrew D. White, former Ambassador to Germany; Jesse Macy, Professor of Political Science, Iowa College; H. P. Judson, Professor of Political Science, University of Chicago; L. S. Rowe, Professor of Political Science, University of Pennsylvania; Dr. Albert Shaw, Editor *Review of Reviews*; Bernard Moses, Professor of Political Science, University of California; J. A. Fairlie, Professor of Administrative Law, University of Michigan; W. A. Schaper, Professor of Political Science, University of Minnesota; and H. E. Hubrich, Professor of Political Science in the University of Texas.

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academic work, but also the statesman, the jurist, the administrator, and the publicist, and to secure the coöperation of all these forces in the scientific study and discussion of the many important questions in practical and theoretical politics.

Special attention will be given at the annual meetings to the discussion of the papers presented, as in the experience of everyone the interchange of thought and the direct contact of mind with mind on such occasions is most interesting and profitable. It is intended that the members shall have the greatest possible freedom in the expression of their opinions, but the society itself will in no way take sides in any political controversy. The example of the American Economic Association will be followed in this respect. The meeting will usually be held at the time and place of those of the two older associations, and thus opportunity will be given the members of the different societies to attend all the meetings without additional expense in time and money.

In order to secure the best results, the work of the association was organized into a number of departments, each of which is in charge of a special committee. There are seven of these departments, as follows: (1) Comparative Legislation. In this department investigations will be made into the methods used in this country and abroad in efforts to solve economic and social questions through legislation. (2) Comparative and Historical Jurisprudence. (3) Constitutional Law. (4) International Law and Diplomacy. (5) Political Theory. (6) Administration—dealing with the methods by which the business of the government is carried on. (7) Politics. In this department will be studied ques-

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tions of political dynamics, such as the philosophy and methods of parties, the choosing of political leaders, the influence of public opinion, and similar questions.

It will be seen from this outline that the field mapped out for the association's work is a very rich one, and it may be confidently expected that many thorough-going and scientific investigations of great permanent value will result from this new national society. It is also planned to institute coöperative undertakings in fields of work such as comparative legislation, where individual effort is inadequate on account of the mass of material to be digested before any scientific generalizations can be arrived at. The preparation of a coöperative encyclopedia of Political Science would also seem to fall fairly within the field of the new association. The constitution of the American Political Science Association complete is as follows:

ARTICLE I — NAME

This Association shall be known as the American Political Science Association.

ARTICLE II — OBJECT

The encouragement of the scientific study of Politics, Public Law, Administration, and Diplomacy.

The Association as such will not assume a partisan position upon any question of practical politics, nor commit its members to any position thereupon.

ARTICLE III — MEMBERSHIP

Any person may become a member of this Association upon payment of Three Dollars, and after the first year may continue such by paying an annual fee of Three Dollars. By a single payment of Fifty Dollars any person may become a life member, exempt from annual dues.

Each member will be entitled to a copy of all the publications of the Association issued during his or her membership.

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ARTICLE IV — OFFICERS

The officers of this Association shall consist of a President, three Vice-Presidents, a Secretary and a Treasurer, who shall be elected annually, and of an Executive Council consisting ex-officio of the officers above mentioned and ten elected members, whose term of office shall be two years, except that of those selected at the first election, five shall serve for but one year.

All officers shall be nominated by a Nomination Committee composed of five members appointed by the Executive Council, except that the officers for the first year shall be nominated by a committee of three to be appointed by the chairman of the meeting at which this Constitution is adopted.

All officers shall be elected by a majority vote of the members of the Association present at the meeting at which the elections are had.

ARTICLE V — DUTIES OF OFFICERS

The President of the Association shall preside at all meetings of the Association and of the Executive Council, and shall perform such other duties as the Executive Council may assign to him. In his absence his duties shall devolve successively upon the Vice-Presidents in the order of their election, upon the Secretary and the Treasurer.

The Secretary shall keep the records of the Association and perform such other duties as the Executive Council may assign to him.

The Treasurer shall receive and have the custody of the funds of the Association, subject to the rules of the Executive Council.

The Executive Council shall have charge of the general interests of the Association, shall call regular and special meetings of the Association, appropriate money, appoint Committees and their chairmen, with appropriate powers, and in general possess the governing power in the Association, except as otherwise specifically provided in this Constitution. The Executive Council shall have the power to fill vacancies in its membership occasioned by death, resignation or failure to elect, such appointees to hold office until the next annual election of officers.

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Five members shall constitute a quorum of the Executive Council, and a majority vote of those in attendance shall control its decisions.

Ten members shall constitute a quorum of the Association, and a majority vote of those members in attendance shall control its decisions.

ARTICLE VI—RESOLUTIONS

All resolutions to which an objection shall be made shall be referred to the Executive Council for its approval before submission to the vote of the Association.

ARTICLE VII — AMENDMENTS

Amendments to this Constitution shall be proposed by the Executive Council and adopted by a majority vote of the members present at any regular or special meeting of the Association.

A society organized on such broad lines cannot but exert a marked and wholesome influence upon American life. The study of the political relations of the United States is of prime importance, and any society or movement which will promote the better understanding of the obligations resting upon our citizenship, must of necessity occupy a prominent place among the many associations that exist to-day. Especially in the field of academic work will the influence of the new organization be felt. The study of Politics will be given a greater dignity and a greater independence of the allied subjects of History and Economics. A gradual rearrangement and enlargement of the courses in Politics in the colleges and universities will undoubtedly result, and much of this desirable growth will be traceable to the increased interest in these subjects that has sprung up as a result of the work of the American Political Science Association. On the other hand, both History and Economics will gain from a clearer emphasis of the political and juristic

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point of view. Just as the individual natural sciences profit by the progress of one another, so does the progress and efficient development of the social sciences depend upon a clear distinction between the various points of view and a careful and patient working out of each separate science.

Greater impetus will be given to investigations in the rich field of American politics. The scientific study of this important subject has only begun; and the new association will do much to bring before the attention of the world the experience of the United States in her attempts to solve the problems of government and of society. Large results may also be expected from the new association in the study of present day politics—local, national, and international. Never before in the history of the world has diplomacy occupied so commanding a position as at the present time. The problems of administration are becoming increasingly important and more difficult of solution. The organization of parties and the questions arising from party government are being forced more and more upon the attention of students of politics. The question of governmental interference in industrial affairs is constantly in the foreground. The need of a keener and more vital interest in local government is becoming more clearly understood. In short, problems in every branch of governmental activity are pressing for solution. In the study and discussion which are so essential to a right understanding of these difficult questions, an important part will be borne by the American Political Science Association.

PAUL S. REINSCH

THE UNIVERSITY OF WISCONSIN
MADISON

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A BRIEF HISTORY OF THE AMANA SOCIETY
1714–1900

[The unique value of this account of the Amana Society, or Community of True Inspiration, lies in the fact that it is written from the viewpoint and in the spirit of the Community by a highly respected member of the Society, Dr. Charles F. Noe. It may be regarded as the official history of the Society. Through the kindness of Dr. Noe, permission has been given to print the account in full and without editorial revision in the IOWA JOURNAL OF HISTORY AND POLITICS.—*The Editor.*]

I

ORIGIN AND EARLY HISTORY OF THE INSPIRATIONISTS

The history of the Amana Society, or Community of True Inspiration, dates back to the year 1714 when J. F. Rock and E. L. Gruber made the first beginning in Hessia, Germany, not as a communistic society, but as a new religious sect, having for its creed the belief that God could now, as well as of old, inspire men to speak and declare His word and will, and thus act as messengers of divine teaching to the world.

These men soon had many followers, who had seen and felt the utter hollowness and formality of the then existing church, and who eagerly embraced the doctrine of Rock and Gruber, of a truer and purer religion, of a life after the teachings of Christ, and of a life of simple and conscientious christianity, with a high standard of virtue and morality, devoid of all that outward display and form, which made up the christianity of the majority of the people in those times.

J. F. Rock and J. A. Gruber, a son of E. L. Gruber, as well as a number of others, had the spirit and gift of revelation and inspiration, and they went about preaching and tes-

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tifying as they were directed by the Lord, making extensive travels through Germany, Switzerland, Holland and other European countries, soon establishing many small congregations of followers of their faith. The most important of these were at Himbach, Schwarzenau, Birstein, Ronneburg, Neuwied, Liebloos, and others. Although many thus adopted their doctrine, Rock and Gruber did not make these journeys for the purpose of increasing the number of their followers, but only upon the direction of the Lord, for the sole purpose of leading humanity to a purer and truer christianity.

E. L. Gruber died in 1728, but the work was continued by Rock, who was now assisted by a number of others, who had consecrated their lives to the same work. The most notable of these were Jonas Wickmark, an attorney and a graduate of the University of Jena, Casper Löw, the brothers Gleim, Dr. J. P. Kämpf, a philosopher and physician of note, and Gottfried Neuman. The boldness with which these men attacked the time-honored custom of the church soon brought upon them the hatred of the clergy, who were not backward in denouncing them and their teachings as ungodly, and complaining to the government, asking for their imprisonment or banishment. Also many high and noble persons were turned against these preachers, for title and rank proved no barrier for these fearless men, when they felt called upon to testify against their godless and immoral life. All this soon aroused the displeasure of the various governments into which Germany was then divided, and in many places orders were issued for their fining and imprisonment. Many a time were these orders executed, and they had to go to prison or were put in the pillory, exposed to the derision and

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contempt of the mob. Sometimes they were tied to the whipping-post and whipped; once at Zürich, they were publicly lashed through the streets out of town.

But the preachers were not the only sufferers; their followers also had to feel this persecution, as they would not bear arms, nor serve in war, and also persistently refused to make oath. This refusal they based on the passage in scripture, where Jesus says, Matt. 5, 34: "But I say unto you, swear not at all;" and Matt. 5, 37: "But let your communication be yea, yea: Nay, nay: for whatsoever is more than these, cometh of evil."

Many governments prohibited all meetings of the Inspirationists, as they were called, and imposed heavy fines on those who still persisted in holding them. In spite of all this oppression the sect continued to grow, although many had to leave their native land, friends and all, in order to go to places where the authorities were more tolerant, and where they were allowed to serve God according to their chosen faith. The most liberal government was that of Hessia, where most of the emigrants flocked, and which on that account contained the largest congregations.

A great loss to their cause occurred in the year 1749 when J. F. Rock died; and with his death the gift of inspiration ceased. But his place was taken by others, who followed in his footsteps, and who ministered to the various communities, using for their basis the writings and testimonies of Rock and Gruber and also the Bible. The most prominent of the successors of Rock was P. G. Nagel, a man of education and a graduate of the University of Jena. He also, in conjunction with others, traveled much and continued the work

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along the lines of the founders. Nagel died in 1779, and from that time on the decline of the society, which had really commenced with Rock's death, became more rapid, until at the beginning of the nineteenth century but few of the once large congregations remained; even these few had fallen back into the ways of the common world more or less, preferring an easy-going way to the trials and tribulations suffered by their fathers. This was due to some extent to the fact that inspiration had ceased to exist, but also to the general decline of religion in those years. The kings and rulers of the various countries were often engaged in wars, and political events diverted the thoughts of the people from religious matters; the chairs of the higher educational institutions were filled with men of rationalistic inclinations; the students were brought in contact with the liberal ideas of their teachers, and by them these were spread throughout the land.

II

THE REVIVAL OF 1817

The slow and gradual decline, described above, continued until the year 1817, when a new and greater period dawned for the society. The old workers had long ago foretold that the good work would not die out, that there would come a time when new teachers would arise and with new life and vigor proclaim the old doctrines. For years the prospects for the fulfillment of these prophecies had been dark and gloomy and many had commenced to doubt their truth. But the time had now arrived, the revival came, and with it new life and zeal was awakened.

The first step in the new movement occurred when M.

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Kraussert of Strassburg was endowed with the gift of inspiration. He proclaimed God's deep sorrow over the decline and decay of the work, so nobly and faithfully commenced a hundred years before, calling on the few remaining faithful, to begin life anew, by embracing the doctrine of the new as well as of the old prophets, not only in words and form as heretofore, but also in spirit. Kraussert's inspirations were recognized by a number of the old members. Others did not accept them as godly, and were thus turned against the revival movement.

A few months later another person received the gift of inspiration. This was Barbara Heinemann, a poor peasant girl, born at Leitersweiler, Alsace, without culture and education. She never had the advantage of schooling, not even being able to read or write. She was earning her living as a servant, and had never paid much attention to religious matters, taking part in the various frivolities of the world, without thinking anything bad about them. One day she became engaged in deep meditation about her past life, and she became aware of her great unworthiness to be called a christian. From that time on she sought to inform herself of the requisites of a truly religious life; she went to church regularly, also asking the ministers and other people, whom she knew to be pious church members, how she could shape her life, so as to be more in conformity with the teachings of Christ. But there she met with poor success; most of them smiled at such religious inclinations at her age—the age at which the world lies before the youthful mind as having only joys and pleasures in store. This rebuke from the few, where she could hope for information upon the

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subject so dear to her heart, left her in a sorrowful state of mind. She was longing for something better, but did not know where to find it.

At that time she had heard of people, who had separated themselves from the church and who held meetings after their own faith and belief. These, she heard, were called Pietists. She at once set about to become acquainted with them, and for that purpose visited a lady, whom she knew to be connected with this sect. After some hesitation she was admitted to their meetings, and thus became a member. It was in the house of one of these Pietists that she first met M. Kraussert, and at once felt that this man's inspirations were godly, and that she had at last found what she was longing for. She now accompanied Kraussert on his visits to several of the congregations of the Inspirationists, and shortly after she also received the remarkable gift possessed by Kraussert. She spoke with great power, using well chosen language although she never had any training in that line.

About the same time another young member, by the name of Christian Metz, of Ronneburg, received the same gift of inspiration, already possessed by Kraussert and B. Heinemann. These three then were the true founders and recognized leaders of what was called the New Community.

Kraussert soon fell back into the world, because he showed too much fear in proclaiming the word of God, and because he did not want to bear the persecutions which soon followed; therefore Christian Metz and Barbara Heinemann only remained. These two carried on the work in much the same way as Rock and Gruber had done before. The

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mission-work and travels were largely performed by C. Metz, B. Heinemann staying at home or visiting other places only on special occasions.

C. Metz, usually in company with one or the other of the brethren from Ronneburg, now visited the various towns and places where remnants of the old inspiration community were known to exist, such as Schwarzenau, Himbach, Homburgshausen, Liebloos, Neuwied, and others. There he was variously received; some at once accepted him as a new teacher and prophet, coming as the fulfillment of the before mentioned prophecies; others were filled with grave doubts about the authenticity of his teachings, while still others, although but few, came out openly against him, branding him as an imposter, trying to imitate Rock and Gruber from selfish motives and for personal gain. Some of these doubters afterwards were convinced of their error, and were thereafter among the most active and ardent supporters of the Society of True Inspiration, as it was now called.

The society now became more and more united, until it finally found itself under a government similar to the one existing at the present day, except that there was no community of goods. The leaders were Christian Metz and Barbara Heinemann, and the word of God, made known through them, was the highest authority in all matters. In addition to this the teachings of Christ and the Apostles, as well as the Old Testament, formed their basis of faith. Elders were appointed in each of the various places, who had to look after the spiritual and temporal welfare of the members within their jurisdiction.

Community of goods had not yet been adopted. There

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were rich and poor, educated and uneducated, professional men, merchants, manufacturers, artisans, farmers and laborers among the members of the society; but the wealthy and well-to-do were ever ready to help along their poor brethren. A fund was established, made up of the voluntary contributions and of legacies left by deceased members; out of this fund the needy could borrow without interest when it was deemed necessary by the elders.

But the society soon had to pass through the same persecutions and molestations experienced by their forefathers. Some of the clergymen caused C. Metz and B. Heinemann to be repeatedly arrested, and accused them of conspiracy against the church by drawing away their church members. Usually they were released in a short time as the charges could not be sustained against them.

Another source of endless trouble for the society were its schools. They had withdrawn their children from the public schools, preferring to instruct them privately by teachers selected from their own number, according to their faith in religious matters. Church and school were closely connected in those times; a large part of the curriculum of the schools consisted of religious instruction, which of course differed from the views of the society, and therefore they did not desire their children to be taught along two different lines.

This maintenance of separate schools the government would not permit, and fines were assessed against the parents of every child reported absent from school. These fines they willingly paid rather than sacrifice their principles.

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This state of affairs continued for a number of years, the governmental molestations becoming more vexatious every year, especially at Schwarzenau, until it became apparent that it was only a question of time when the Inspirationists would have to renounce their faith and return to the fold of the church, or leave their homes and seek refuge where they could follow their religious customs unmolested.

This latter event finally came in the year 1826, when it was no longer possible for the co-members at Schwarzenau to live in peace according to their convictions; and now came the question of a future home for these exiles. This was finally solved in that the society leased a large estate at Marienborn, with commodious buildings and extensive farmlands, near Ronneburg, the home of the principal elders. Here all members were given opportunity to earn their living according to their calling or inclination, each one in turn paying a share of the rent. Thus was established the first refuge for those who preferred to leave everything behind, rather than to become traitors to their faith. Others came from various parts of the country, so that all the available room at Marienborn was soon occupied. Now it became clear, that the fulfillment of the prophecy by C. Metz, that the Lord would soon collect and gather in his faithful servants, was near. Still more were ready to leave their homes, and as there was no more land available at Marienborn, the society rented a number of buildings, erected and formerly occupied by the Herrnhuter Society, and called by them the Herrnhaag. These buildings were large with many rooms; and although not used for many years, they suited the purpose admirably, as they had been designed

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and built for a purpose similar to the one for which they were now to be used.

This was in the year 1828. It was not long, before the new home was also filled, as many large congregations had moved there, especially from Edenkoben and Switzerland. In 1832 the society leased the old convent of Arnsburg, owned by the Count of Laubach. This was a large building with many halls and apartments, formerly occupied by monks, but now it had not been in use for a long time. In connection with it were large tracts of land and a flouring mill. All this was soon peopled by members of the society, for at this time Ronneburg, an old medieval castle and the home of the Inspirationists for over a hundred years, was abandoned, owing to difficulties with the owners.

The wealthier members tried to assist their poor associates as much as possible. They established woolen mills and knitting works in order to give employment to those not able or willing to follow some individual business or trade.

In addition to those now living in the three communities Marienborn, Herrnhaag, and Arnsburg, (or Armenburg, as it was later called,) there were still many who had remained in their homes, being held there by their business or property, or because their governments were more tolerant. These kept in touch with the society, observing all its rules and requirements, and receiving occasional visits from the principal elders. In 1834 the society had again outgrown its quarters, and more room and land had to be acquired in order to provide a place of residence and means of living for the new members constantly coming to the society. For this purpose they obtained a leasehold on the convent of

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Engelthal, about 13 miles from Armenburg, also owned by the Count of Laubach.

This place was also very old, surrounded by a large wall, in accordance with the customs of former centuries. Many of the dwellings first had to be repaired, in order to make them inhabitable. After involving a considerable amount of money and labor, it was finally ready for occupation, and the first members moved there in the fall of 1834, followed by many more in 1835.

The society now had apparently reached the quiet and peaceful life for which it had been striving for a score of years.

The spiritual management rested mainly in the hands of C. Metz, who was at that time the only one possessing the gift of inspiration, as Barbara Heinemann had in the meantime married George Landmann and soon after lost her spiritual power. C. Metz made regular calls at the various communities, assisting wherever the local elders needed counsel and advice. He also made a number of journeys to Switzerland, where several of the old Inspiration communities were still existing and from which many later came to the society.

He was an eloquent and forceful speaker with considerable executive ability. His spiritual testimonies were delivered in a sublimity and purity of language far beyond his ordinary abilities. He also wrote a large number of hymns, many of which are now read and sung in the meetings of the society. In the management, especially of business affairs, he was ably assisted by P. Mook, Wm. Mœrschel, C. M. Winzenried, Jacob Dœrr, F. Heinemann, G. Dœller, and a number of others.

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Thus the affairs of the society were in a prosperous condition, but soon the old troubles commenced again. The government would not accept the affirmations of the members in place of an oath; but the members of the society could not be induced to swear. This controversy was revived every time some legal matter came up, putting them to much annoyance and expense. They explained the matter fully to the government, stating why they did not deem it consistent with their faith to swear. The government took the matter under advisement, but did not render a decision for a long time. Finally the matter was decided adversely to the society.

This proved to be an incident of most vital influence on the future of the society. Some time before the Lord had already revealed through his instrument C. Metz that He would lead them out of this land of adversity to one where they and their children could live in peace and liberty. No intimation had been given when this would happen, but the elders felt that the time had now arrived. So on July 25th, 1842, they held a conference at Armenburg to discuss the matter, but could not reach a satisfactory decision. A second conference was held at Engelthal on August 13th, in which the Lord directed through C. Metz that several members should go to America, the land of personal and religious liberty, to find a new and permanent home for the society.

III

REMOVAL TO AMERICA

The members selected for the journey to America were Christian Metz, G. A. Weber, Wm. Noe and G. Acker-

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mann. These were given full power to act for all the members and to purchase land where they deemed best.

On the 5th of September, 1842, these men bid good bye to their relatives, friends, and comfortable homes, to go across the seas for a new land and home, where their trials would be ended and where they would be permitted to live according to their faith and convictions.

As far as Bremen they were accompanied by Wm. Mœrschel. Dr. Weber's little son also accompanied them, as he was going with his father to America. After parting with Wm. Mœrschel they sailed from Bremen on the 18th of September, and after a stormy voyage of thirty-eight days they arrived at New York where they at once proceeded to inform themselves in regard to any suitable tracts of land which might be for sale in that or the neighboring States. They became acquainted with a land agent, who offered them a large tract of land in Chatauqua County, N. Y. This they decided to visit, and so they left New York for Buffalo, traveling up the Hudson as far as Albany, and from there on the Erie Canal. At Buffalo they heard of another large tract of land, the Seneca Indian Reservation, near Buffalo, which was for sale, and which seemed more adapted to their purpose, being nearer to the markets and of easy access. So they decided to make a short stop at Buffalo, in order to drive out to this land and inspect it, before continuing on their journey. They were well pleased with the land, part of which was still covered with dense virgin forest, and part was under cultivation by the Indians, who still lived there.

They were inclined to make a purchase here, but decided

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also to visit the Chatauqua land, and then take whichever suited them best. C. Metz and Wm. Noe were detailed to make the trip. They returned in a few days, stating that they were satisfied that the Indian land was the most suitable. So they entered into negotiations with the Ogden Land Co., the company which had purchased the reservation from the government. They finally purchased of one of the partners of the company 10,000 acres at $10.50 per acre, the conveyance first to be accepted by all the partners of the company who lived in New York. After a long time of waiting they were notified that the other members of the company were not willing to make the sale on these terms; so new negotiations had to be commenced. They finally came to an agreement by which 5,000 acres were purchased at ten dollars per acre, and now the friends in Germany were notified that a purchase had been made and that a number of reliable men should come over to commence the new settlement.

But the society was sadly disappointed in the hope that everything would go smooth and peacefully now. Just as soon as the first company of the new settlers arrived from Europe and began preparations for the building of houses, the Indians, who were still on the reservation, commenced to show hostility. They did not want any white men on the land, which had been their's and their fathers' for ages. Many were in favor of repudiating the treaty by which they had sold their lands to the United States government. The society treated them kindly and tried to explain to them that the purchase was perfectly legal and that they were now the lawful owners of the land. Some of the Indians yielded

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and left for the new reservation provided for them by the government, but some were stubborn and persistently refused to leave, and it was not until 1846, after the society had invoked the assistance of the authorities at Washington, that the last ones could be induced to leave for their new home.

At the time of the purchase of the land, the society had no intention to introduce communism into its organization. The original plan was to hold the land and houses in common, each member's contribution to the purchase money being secured by a proportionate share in the real estate and also drawing a reasonable rate of interest. This was soon found to be impracticable, and absolute communism was adopted, and today is one of the fundamental rules of the society.

During the years 1843 to 1846 some eight hundred people came over from Germany, and the land which had heretofore been the home of Indians, covered with virgin forests and untilled plains, soon presented a widely different appearance. The place of the old Indian huts and log houses was taken by roomy and substantial, though plain houses; the soil was broken and soon covered with waving grain; two woolen mills, a flouring mill, several stores, two tanneries, and a number of other manufactories were established to give employment to all according to their talent and inclination. The society now fully organized under the name of "Ebenezer Society," which title was used in all business transactions. The houses were not scattered over the entire territory, but were arranged in four villages called Nieder Ebenezer, Mittel Ebenezer, Ober Ebenezer and Neu Ebenezer, the prefixes meaning lower, middle, upper, and new

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respectively. Each village had its store, its meeting house or place of worship, and its schools, and had its own local government consisting of a board of elders. As the population increased more land was purchased, but of course at a much higher price than it could have been bought at the time of the original purchase.

A number of people also joined the society from Canada, and as they owned some land there, the society decided to locate two more villages on it. One was at Caneborough, later changed to Kenneberg by the society, about forty-five miles northwest of Buffalo, and one near the Niagara river, twelve miles north of Buffalo, called Canada Ebenezer. These two Canadian villages were built on the same general plan as the others, each having a small store and some other business establishments, but their principal value to the society was in the valuable pine forests on the adjoining land. Later, during the time of emigration to the west, large quantities of lumber were cut there and shipped to the settlements in the United States to be sold or utilized for building purposes.

Thus the society increased and prospered until the year 1854, when its growth had become such that it became apparent that more land would have to be acquired. As all the available land in the neighborhood was held at a high price, the elders saw the advantage of going west and obtaining a tract of land large enough for all times. Another reason for the desire to obtain another location was the close proximity of the rapidly growing city of Buffalo, which had an injurious influence, especially on the younger members of the society, and it also interfered with the

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quiet and secluded life of which the colonists were so desirous.

In September 1854, the Lord gave the command through C. Metz that four members should go west and find a new home for the society, and so C. Metz, C. M. Winzenreid, C. L. Mayer, and F. Weber were appointed for this purpose. They did not know where to go, but as Kansas was at that time the Mecca of the the homeseekers, they concluded to visit that territory, and if any suitable tract of land could be found to purchase it for their new home.

They spent about a month in Kansas, traveling in wagons with Indian guides, and endured many hardships, but they could not decide on any purchase. The only piece of land which seemed suitable was a part of the Delaware Indian Reservation, but the Indians declined to sell. So they decided to return to Ebenezer, much discouraged by the failure of their commission. But the plan of removal was not abandoned on account of this failure. In November a new committee, consisting of J. Wittmer and J. Beyer, were appointed to go to the new State of Iowa and inspect the large tracts of Government land still to be had there, after which they were to return and report to the other elders. They visited many places in Iowa, but the territory between Iowa City and Marengo seemed to them the most suitable for their purpose. They were especially well pleased with a wide valley about twenty miles west of Iowa City on both sides of the Iowa river. There were fertile rolling prairies, with bluffs and woodlands along the watercourses; they saw that the river could be utilized for furnishing water power for factories, and that the rich prairie soil was ready for the

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plow and would not have to be cleared of heavy timber as had been the case in Ebenezer.

The committee returned and reported the conditions as they had found them, stating that in their opinion they had found a place well suited to their requirements. This was considered in a meeting of the board of trustees, and it was finally concluded to make the new settlement on the land so favorably reported on by Beyer and Wittmer. It was agreed that J. Beyer, C. M. Winzenreid, J. Wittmer and F. Heinemann should at once proceed to Iowa and purchase a tract of land of appropriate size. So they returned for this purpose to the locality already visited the year before. A number of farms were scattered over the territory, but there was still a considerable amount of government land to be had, and of this they purchased about 3,300 acres. They experienced considerable difficulty in getting possession of the scattered lots between the lands already purchased. Many of the farmers on hearing of their object demanded high prices; others lived in distant places and had to be visited in order to come to an agreement; but in spite of these difficulties they managed to obtain enough land to enable them to begin the sale of the Ebenezer land and commence the removal to Iowa.

The first village was laid out on a hill north of the Iowa river, eleven miles east of Marengo. It was called Amana, a name taken from the Bible and meaning "remain true." At first only small frame houses were built, but as more and more help came from the east the quarries on the land could be worked and stone buildings erected. In the following years several more villages were commenced at different

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places on the territory: West Amana and South Amana in 1856, High Amana in 1857, and East Amana in 1860. Up to this time the nearest railroad station had been Iowa City, twenty miles distant, but now the Mississippi and Missouri R. R., later named C. R. I. & P., was completed as far as Homestead, a small town south of the society's territory. All goods from the east would now be unloaded there, and it would also form the shipping point for the neighboring farming population. The society saw the necessity of owning this railroad station, and so in 1861 the entire village of Homestead was bought and thus became the sixth of the villages of the society. In 1862 another village was founded two miles west of Amana and called Middle Amana.

The sale of the Ebenezer land was now almost completed, and the last of the remaining members came to Iowa on December 13th, 1864.

By that time the society had acquired about 26,000 acres of land, approximately the amount owned at the present time. In 1859 the society was incorporated as a religious and benevolent society under the name of "Amana Society." The purpose sought to be obtained by this organization as a religious society and community is best defined and set forth in Articles 1 and 2 as embodied in its constitution.

The following are the most important provisions of the constitution, Articles 1 and 2 being given in full:

Article 1. The foundation of our civil organization is and shall remain forever God, the Lord, and the faith, which He worked in us according to His free grace and mercy, and which is founded upon (1) the word of God as revealed in the Old and New Testament. (2) The testimony of Jesus through the spirit of prophecy. (3) the hidden spirit of grace and chastisement.

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The purpose of our association as a religious Society is therefore no worldly or selfish one, but the purpose of the love of God in His vocation of grace received by us, to serve Him in the inward and outward bond of union, according to His laws and His requirements in our own consciences, and thus to work out the salvation of our souls, through the redeeming grace of Jesus Christ, in self-denial, in the obedience of our faith, and in the demonstration of our faithfulness in the inward and outward service of the Community, by the power of grace, which God presents us with.

And to fulfill this duty we do hereby convenant and promise collectively and each to the other by the acceptance and signing of this present constitution.

Article 2. In this bond of union tied by God amongst ourselves, it is our unanimous will and resolution, that the land purchased here and that may hereafter be purchased, shall be and remain a common estate and property, with all improvements thereupon and all appurtenances thereto as also with all the labor, cares, troubles and burdens, of which each member shall bear his alloted share with a willing heart.

And having obtained in pursuance of the act of the legislature of this State, Chapter 131 passed March 28, 1858, an incorporation as a religious society, it is hereby agreed on that the present and future titles to our common lands shall be conveyed to and vested in "The Amana Society" in the Township of Amana, as our corporate name by which we are known in law.

Article 3. Agriculture, manufactures and trades shall form the means of sustenance, and out of the income of these the expenses of the society shall be defrayed. If any surplus remains it shall be applied to improvements, to the erection of school and meeting-houses, care of the old and sick, the founding of a business and safety fund, and to benevolent purposes in general.

Article 4. The control and management of the society shall be vested in a board of 13 trustees, to be elected annually out of the number of elders. The trustees shall annually elect out of their num-

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ber a President, Vice-President and Secretary, who shall have full power to sign all public and legal documents in the name of the society.

Article 5. Every member is in duty bound to give his or her personal and real property to the trustees for the common fund, at the time of joining the society. For such payments each member is entitled to a credit thereof on the books of the society, and to a receipt signed by the president and secretary, and is secured by the pledge of the common property of the society.

Article 6. Each member is entitled to free board and dwelling, to support and care in old age, sickness and infirmity and to an annual sum of maintenance, the amount of which is to be fixed by the trustees. The members release all claims for wages, interest and any share in the income and of the estate of the society separate from the common stock.

Article 7. All children and minors after the death of their parents and relatives shall be orphans under the special guardianship of the trustees during their minority. Any credits, if not disposed of by will, or any debts left by the parents are to be assumed by the children. Credits of members dying intestate without leaving lawful heirs shall revert to the society.

Article 8. Members leaving the society either by their own choice or by expulsion, shall receive back the amount paid into the common fund without any interest or allowance for services during the time of their membership.

From the above will be seen that communism is not practiced for temporal or pecuniary purposes or as an experiment to solve great social problems, but is subservient to the great work, and one of the means, better and more ably to perform the inward and outward duties required of man to lead a true and christian life as commanded by God in His word in the Old and New Testament and as revealed in the

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testimonies of true inspiration. Communism as practiced in the society is based on faith and requires obedience to faith, self-denial, and love of God and man, and in following and adhering to this bond of love and union, which God has tied amongst them, communism will be maintained.

A large part of the land owned by the society was erected into a township by itself and called Amana Township.

A few words now remain to be said as to the present condition of the society. The increase in membership has been slow but steady up to a few years ago, but now for several years has been stationary, being 1700 or 1800. The society operates two woolen mills, one at Amana and the other at Middle Amana. At Amana is also located a factory for the manufacture of cotton prints. The power of these four manufactories is furnished by the Iowa river through a canal 7 miles in length and by several steam engines. Besides these there is a flouring mill at Amana and one at West Amana, also 7 stores distributed through the various towns. These stores supply the wants of the members as well as of the surrounding farming population. The society raises nearly all the agricultural products required for its own use, several hundred hired hands being employed for the heavier work. Nearly all the towns are provided with a water sys-system fed from the canal or by deep wells. Each member is provided with board and dwelling, as provided for in the constitution. The meals are taken in large kitchen houses, where 30–50 people eat together, thus making cooking by individual families unnecessary. Children attend school all the year round from the age of 5 to 14. The schools are graded and are conducted by teachers who are members of

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the society. The children are instructed both in English and German; but the German language is used almost exclusively by the members in their everyday work. Religious meetings are held in large meeting-houses, twice on Sunday and sometimes on week days and a short prayer-meeting is held every evening. The services are presided over by one of the elders, of which there are about eighty in all. No one at the present time has the gift of inspiration. Christian Metz died in 1867 and Barbara Landmann in 1883, but the testimonies and writings left by these are read in all meetings.

New members are not admitted except they first give proof of being fully in accord with the religious doctrine of the society, and then they usually have to go through a period of probation. The trustees have the power to expel any member whose conduct is not according to the rules of the society. The fact that all religious exercises are conducted in German makes it necessary that those desiring to become members be fully conversant with that language.

IV

RELIGIOUS FAITH[1]

The confession of faith of the Community of True Inspiration is founded on the revealed word of God, as manifested in the Old and New Testament, on the divine doctrines and teachings of Christ and the Apostles that all men should obey the commandments of God, follow in the footsteps of Christ, and conform their conduct to His teachings and example set before them while sojourning on earth.

[1] This chapter was contributed by Mr. George Heinemann, a member of the Amana Society.

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They believe in God the father, the almighty creator of heavens and of earth, and of all that is visible and invisible, and in his only begotten son, the Lord Jesus Christ, the mediator and savior of the world, the word, who was in the beginning with God, the light of the world, who was made flesh, God of God and son of man, sent unto the world, that whosoever believeth in Him should not perish; who suffered great agony, was crucified, died and shed his blood for the remission of sin. And also in God the holy Ghost, who proceeds from the Father and Son, who is equally adored and honored, who has spoken and operated through the prophets of old, and who even now speaks and operates audibly through the instruments of true inspiration, and hidden inwardly, through the heart and conscience towards repentance and renewal of heart, teaching denial of ungodliness, and worldly lusts, and to live soberly, righteously and godly in the present world. They acknowledge and avow a holy, universal christian church, and a communion of saints, and all people of every nation, who fear God and work righteousness are accepted with Him. They believe in the remission of sin, the resurrection of the body, and in life blessed and everlasting.

Divine worship is offered in prayer meetings, where the word of God is read, and admonitions for instruction and useful application are rendered thereon by the elders. No sermons are delivered, nor lengthy discussions of christian theories indulged in. Prayer is regarded as very essential, a communication of the heart with God. Prayers are said in all meetings, and also at the homes and in the family circle.

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Baptism with water is not practiced, but is held to be only an outward form of true spiritual baptism. Spiritual regeneration and baptism in spirit is believed to be the substance of this sacrament. Religious instruction is given, and practical christianity is taught by the parents and also by teachers to children and young people. The confirmation, or reception into the covenant of grace, occurs at the age of fifteen. It is a most solemn act, conducted in open service, where the vow is made in the presence of the whole congregation, as a covenant of faith and with God.

The Lord's supper is celebrated. It is held biennially in the manner as introduced by Jesus amongst his disciples. Feet washing is practiced and solemnly done after the example given by Christ.

They are dutifully bound in faithfulness and allegiance to the authorities, and remembrance is made in their prayers for divine guidance of the governments and magistrates. They are noncombatants, wars being believed to be against the will of God and the teachings of Christ.

Oaths are forbidden, averments and confirmations are made by affirmation.

In dress and wearing apparel the many variable styles are not imitated, stress being put on comfort, comeliness, and propriety.

Dwelling houses likewise are commodiously but plainly built; living-rooms and apartments well furnished, yet all extravagances and luxuries avoided.

Games and all frivolous and worldly amusements are not countenanced, being harmful, diverting the mind from religious matters and from that most important aim of life, to

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work out the salvation of our soul in this present time of grace, this being the paramount object and aim to which all men should attain, to live in uprightness and virtue, in the fear of God, in the bond of brotherly love and affection, one to another, aspiring to keep the two great commandments: "Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind; and thou shalt love thy neighbor as thyself."

On the observance, and in the obedience of these great fundamental laws and principles of true christianity is based and founded the faith and creed of the society; these constitute the progress, success, and continuance both as a religious community and as a communistic association, and to this aim also point and tend the precepts and doctrines of the testimonies of true inspiration, conforming to the word of God and the doctrines of holy scripture.

This does not imply an ascetic life, cheerless and discontented. There are burdens, cares, and anxieties, but in the relation of every day life, in the coöperation for mutual benefit, in the solicitude and care for the welfare and happiness of everyone and in the interest and sympathy participated in by all, is well manifested that their life is blended with peace and cheerfulness, and that great comfort is found in that bond of love and union, loyalty and attachment that joins one to another, elders to members and old to young.

CHARLES FRED NOE

AMANA
IOWA COUNTY, IOWA

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THE IOWA SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION

The Iowa Society of the Sons of the American Revolution is a part of the National Society of the Sons of the American Revolution. It recognizes all State societies of Sons of the American Revolution as coëquals and their members as compatriots. Societies now exist in thirty-six States, in the District of Columbia, in France, and in the Sandwich Islands. The membership of these societies all told is not less than eleven thousand.

The objects of the Iowa Society of the Sons of the American Revolution are essentially patriotic and educational on patriotic lines, and are best set forth in Article III of its constitution which reads as follows:

> The objects of this society shall be to perpetuate the memory of the men, who by their services or sacrifices during the war of the American Revolution, achieved the independence of the American people; to unite and promote fellowship among their descendants; to inspire them and the community at large with a more profound reverence for the principles of the government founded by our forefathers; to encourage historical research in relation to the American Revolution; to acquire and preserve the records of the individual services of the patriots of the war, as well as documents, relics and land-marks; to mark the scenes of the Revolution by appropriate memorials; to celebrate the anniversaries of the prominent events of the war; to foster true patriotism; to maintain and extend the institutions of American freedom; and to carry out the purposes expressed in the

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Preamble to the Constitution of our country and the injunctions of Washington in his farewell address to the American people.[1]

The classes of persons from which the membership of the society has been and may be drawn are enumerated in Article IV of the constitution, which provides that any man who is "of the age of twenty one-years or over, and a citizen of good repute in the community, is the lineal descendant of an ancestor, who was at all times unfailing in his loyalty to, and rendered actual service in, the cause of American independence, either as an officer, soldier, seaman, marine, militiaman or minute man, in the armed forces of the Continental Congress, or any one of the several Colonies or States; or as a signer of the Declaration of Independence; or as a member of a Committee of Safety or Correspondence; or as a member of any Continental, Provincial, or Colonial Congress or Legislature; or as a civil officer, either of one of the Colonies or States or of the national government; or as a recognized patriot who performed actual service by overt acts of resistance to the authority of Great Britain" may become a member.

Without attempting to trace the various steps which led to the formation of the National Society of the Sons of the American Revolution in 1889 by representatives of eighteen State societies, and which national organization had made substantial growth before the Iowa society was founded; and without attempting to differentiate between the "Sons of the American Revolution" and the "Sons of the Revolution," whose objects and aspirations are practically identical,

[1] This recital of objects is taken from the constitution of the national society and applies to every society of Sons of the American Revolution.

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the history of the organization and progress of the Iowa Society of the Sons of the American Revolution will be briefly related in the following paragraphs.

Public request having been made through the newspaper press that all gentlemen in Iowa who were descended from soldiers of the Revolution should make themselves known, and notice to such as responded having been given by Hon. H. E. J. Boardman of Marshalltown, a meeting preliminary to the organization of a State society of the Sons of the American Revolution was held on the 6th day of July, 1893, in the horticultural rooms of the Iowa State capitol at Des Moines, Iowa.

The meeting was called to order at 10:30 A. M. by Hon. H. E. J. Boardman of Marshalltown, who in a brief address stated the object of the meeting. Franklin G. Pierce of Marshalltown was elected Secretary. A committee of three, of which Mr. Boardman should be chairman, was directed to be appointed by the chair "to take the names of the prospective members and so far as possible to look into their qualifications for membership." The chair named as the other members of that committee, O. W. Munsell of Des Moines and W. H. H. Asbury of Ottumwa. The following gentlemen were present at this first meeting: R. D. McGeehon, Atlantic; O. W. Munsell, Des Moines; L. S. Kilborn, Marshalltown; T. F. Bradford, Marshalltown; J. H. Strong, Des Moines; F. D. Hussey, Des Moines; H. E. J. Boardman, Marshalltown; F. G. Pierce, Marshalltown; and W. H. H. Asbury, Ottumwa.

At the afternoon session the committee reported the names of thirty-one persons who "have made such present or tem-

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porary showing as to be eligible to vote and take part in the temporary organization." Their report was adopted. The following temporary officers were then elected: Hon. H. E. J. Boardman, President; J. H. Strong, Vice President; F. G. Pierce, Secretary; and O. W. Munsell, Treasurer.

At the same meeting a committee consisting of J. R. Sage, Peter A. Dey, and J. H. Keatley was appointed to draft a constitution and by-laws. A committee consisting of the President, Vice President, and Secretary was appointed to pass upon questions of eligibility. The officers were instructed to prepare a circular stating the objects of the society and the qualifications of members, and send several copies to each of the temporary members. Finally the members adjourned to meet at the Iowa State capitol building at 10:00 A. M., September 5, 1893.

At the September, 1893, meeting, the committee on credentials reported a recommendation for the admission of the following persons as members: R. D. McGeehon, Atlantic; Samuel Berry Evans, Ottumwa; Frank Ashley Millard, Burlington; W. H. H. Asbury, Ottumwa; D. C. Mott, What Cheer; Iram Allen Sawyer, Keokuk; Henry E. J. Boardman, Marshalltown; Theoderic F. Bradford, Marshalltown; Franklin Gilman Pierce, Marshalltown; Charles E. Boardman, Marshalltown; Charles H. E. Boardman, Marshalltown; Orson W. Munsell, Des Moines; Albert Strong, Winterset; W. P. Hepburn, Clarinda; Stephen B. Packard, Marshalltown; W. H. Bremner, Marshalltown; Levi B. Raymond, Hampton; Lucien S. Kilborn, Marshalltown; John R. Sage, Des Moines; Charles D. Shepard, Gilbert Station;

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Timothy Hunt, Grinnell; Frank S. Hunt, Dubuque; Erastus B. Soper, Emmetsburg; Edward H. Hazen, Des Moines; and Edmund M. Vittum, Grinnell. The report was adopted.

A constitution was then reported and adopted; and permanent officers were elected, who held office until January 15, 1895. A vote was passed that all applicants whose cases shall be favorably acted upon by February 22, 1894, be considered charter members. The organization being completed, the meeting adjourned sine die.

All the gentlemen above mentioned became members of the society. Henry E. J. Boardman, Charles E. Boardman, and Orson W. Munsell have passed away. The others, with one exception, remain members to this day.

The following compatriots have served as President of the Iowa society and in the order named: Hon. Henry Elderkin Jewett Boardman, Marshalltown; Col. Levi Beardsley Raymond, Hampton; Col. Albert Winfield Swalm, Oskaloosa; Hon. William Henry Wheeler, Des Moines; Hon. George Herbert Richardson, Belmond; Major Francis Hanmer Loring, Oskaloosa; Hon. Damon Noble Sprague, Wapello; Hon. William Henry Baily, Des Moines; Prof. Herman Knapp, Ames; and Col. Warren Scott Dungan, Chariton.

The following compatriots have served as Secretary: Franklin Gilman Pierce, Esq., Marshalltown; Charles Henry Earnest Boardman, Esq., Marshalltown; Capt. Edward Ridgway Hutchins, Des Moines; and Capt. Elbridge Drew Hadley, Des Moines.

The several Treasurers have been: Capt. Erastus Burrows Soper, Emmetsburg; Herman Knapp, Esq., Ames;

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Willard Secor, Esq., Forest City; and Frank Benjamin Clark, Ottumwa.

The society had but one Registrar, Dr. Edward Hamlin Hazen of Des Moines.

As Historians the society has had the services of Capt. Samuel Berry Evans, Ottumwa; Judge Geo. W. Wakefield, Sioux City; and Dr. Edward Hamlin Hazen, Des Moines.

The roll of Chaplains bears the names of Rev. Edmund March Vittum, Grinnell; Rev. Evarts Kent, Victor; Rev. Ira B. Ryan, Leon; Rev. Ezra Butler Newcomb, Keokuk; and Rev. James Balloch Chase, Ocheyedan.

The total number admitted to membership in the Iowa society has been two hundred and thirty-seven. This means that the number of ancestors whose services are recorded is about three hundred. The losses from death, transfers, and other "casualties" reach forty-two, leaving a membership to-day of one hundred and ninety-five.

Local chapters have been organized in Iowa as follows: Lexington Chapter, Keokuk; Woodbury Chapter, Sioux City; Ottumwa Chapter, Ottumwa; Ben Franklin Chapter, Des Moines; Blackhawk Chapter, Wapello; and Washington Chapter, Ames.

Organized and existing in a locality many hundreds of miles distant from the scenes of the Revolution, military and political, it has of course been impracticable for the Iowa society to preserve the "relics and land-marks" of the Revolution or to "mark the scenes of the Revolution by appropriate memorials." However, the pursuit of historical research and the cultivation of true patriotism have been

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steadily kept in view, although unity in definite purpose has not been easily attained among compatriots widely scattered and of diverse education and occupation.

One specific instance of the activity of the Iowa society may be given. When Iowa troops were called for participation in the Spanish War of 1898, the Iowa society in annual session voted that a flag be given to the first Iowa regiment to march to the war. In pursuance of this instruction, President George Herbert Richardson, in well chosen words on behalf of the society, presented a beautiful silk flag to the Fiftieth Regiment of Iowa National Guard. It was borne with gallantry and came back without a stain, actual or figurative, and reposes in the capitol building at Des Moines.

The dead have also been remembered. About three years ago the attention of patriotic societies in Iowa was drawn to the fact that one or more soldiers of the Revolutionary War had spent their last days on Iowa soil. Attention was first drawn to the grave of William Blair who was buried at Kossuth, in Des Moines County; and it was proposed by the Sons of the American Revolution to erect in the Historical Department at Des Moines a tablet to his memory. Before the matter took tangible shape it was found that five of the patriots of 1776 were known to have been buried in Iowa. These are: William Blair, Kossuth; John Osborn, Center Point; Timothy Brown, Washington; George Perkins, Lee county; and Charles Shepherd, near Mt. Pleasant. The first grave was marked by a fine monument erected by descendants; the second had a monument erected by the G. A. R. and citizens; the third could not be

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located except that it was in an abandoned cemetery; the fourth though identified was not marked; the fifth could not be found except that it was known to be in a certain forty acre tract. Later a monument was erected to Charles Shepherd in the cemetery at Mt. Pleasant at the expense of the State. The grave of Timothy Brown has been found through the well directed efforts of Mr. A. R. Miller of Washington, Iowa, who took the matter up with zealous interest. The ashes of Timothy Brown have been re-interred in the Soldiers' Plat in a cemetery at Washington. It is understood that the Daughters of the American Revolution, who were largely instrumental in securing the State appropriation for the monument to Charles Shepherd, are moving to have fitting honor paid to the memory of George Perkins.

So certain were the Sons of the American Revolution that all the well authenticated graves of Revolutionary soldiers in Iowa had become known, that the Iowa society, in their desire to render fitting honor to all, have had a bronze tablet made commemorative of the lives and services of the five soldiers named and have had the same placed in the Hall of History of the Historical Department of Iowa, at Des Moines. The cost of the tablet was $265.00 in New York. It was designed and made by Tiffany & Co., and is artistic and elegant.

Rumors have arisen from time to time of the existence of graves of other Revolutionary soldiers in Iowa; but upon investigation they were found groundless or mythical, or at least doubtful. The latest rumor is that of the existence of the grave of John Lepper, a Revolutionary soldier who was

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buried near DeWitt. This rumor coming from a grandson living at Creighton, Neb., has upon investigation proved to be well founded.

The information came by letter to Hon. Charles Aldrich, Curator of the Historical Department of Iowa, who with his usual zeal and promptness corresponded with the Commissioner of Pensions, and from that official received definite information which shows that John Lepper was a Revolutionary soldier. Other items of interest relative to his service were also obtained from the same source. It appears that John Lepper enlisted in August, 1780, in Capt. Harrison's company of New York troops (regiment not given) and served two and one-half months; enlisted again in April, 1781, in Capt. French's company of Col. Marinus Willet's regiment, and served nine months; enlisted and served later in Capt. Cannon's company of the same regiment fourteen months, making two years one and one-half months all told. He was engaged in the battle of Johnstown, which was fought in October, 1781, between Col. Willet's regiment and a force of British regulars, Tories, and Indians, under the Tory leader, Walter Butler, whose forces in the battle were routed. Lepper resided at Johnstown when he enlisted. He applied for a pension which was allowed October 17, 1832, his residence being Greenfield, Erie county, Penn. He married Mary Prime, August 28, 1803, at Stone Arabia, N. Y. He died at DeWitt, Iowa, August 17, 1840.

The death of John Lepper having occurred in 1840, there is very little probability that any person is living in DeWitt or in Clinton County who was there at the time of his death.

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It is ascertained that he was buried about three miles northwest of DeWitt on the northwest quarter of the southwest quarter of section one in township eighty-one of range three.

Persons living in DeWitt are confident of their ability to identify the grave of John Lepper when a suitable season arrives. The Iowa Society of the Sons of the American Revolution, or individual members acting in its behalf, will then take steps to cause the grave of this soldier of the Revolution to be properly marked and duly honored.

Coming in contact with mementoes of past valor or impressed with memories of past struggles for liberty, one feels that he is in the invisible presence of great deeds, unrivaled valor, a peerless patriotism, and the spirits of departed heroes whose example cannot be too carefully guarded, whose deeds are worthy of most hearty commendation, whose services to freedom are priceless, whose memories cannot be too highly cherished, and the fruits of whose triumph cannot receive a care that is too solicitous.

And so for the preservation of these priceless possessions, for the purpose of impressing these lessons upon the people of to-day, for the honoring of the patriotic dead of the last third of the eighteenth century in America, the Sons of the American Revolution are organized. Among the patriotic orders of these days, the Sons of the American Revolution hold an honorable place. The growth of the order is in proportion to the completeness of the information brought home to those eligible to membership, as to its principles, its objects, and its work.

The society is not maintained to afford opportunities for the members to admire each other on account of the patri-

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otic stock from which they are descended. No one knows better than its members that the estimate in which the order is held does not depend so much upon who their *ancestors were* as upon what *the members are*. They are associated together not to draw attention to themselves—connected without their own volition by ties of consanguinity with a generation of patriots—not to shine with the borrowed radiance of others' renown, but by emphasizing the patriotism of the fathers of the republic to instill lessons of patriotism into the minds of the people of America of to-day and their children for the well being of our country.

The patriotic lessons of history they cannot teach except they learn them. To learn these lessons fully or approximately the members must be zealous in the study of their country's history—an ever delightful occupation since that history has been glorious.

ELBRIDGE DREW HADLEY

DES MOINES, IOWA

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THE LEAGUE OF WISCONSIN MUNICIPALITIES

In all probability the most advanced nations have never experienced such far reaching changes in their environment as the more recent ones have brought about through the widespread growth of urban population. This movement is not confined to any country, but is as widespread as industrialism. In 1890 the census revealed the fact that our frontier had disappeared, and that our rural population was moving with startling rapidity towards the great cities. Moreover, in all countries where industrialism has gained a foot-hold this "silent tragedy" goes on. The hamlet of yesterday is the metropolis of today, and great emporiums of wealth and power are scattered over the land. The federal labor bureau of 1901 reports 140 cities with a population of over 30,000. The census of 1900 shows that 47 per cent of our total population is urban, and that we have 10,602 incorporated cities. These figures give us some idea of the unexampled urban growth in the United States and suggest the intricate social and administrative problems which await our attention.

An adequate review of the work of the various associations organized for the promotion of better city government would require a volume. When the National Municipal League was organized in 1894 very little effective reform work had been done. However, the need of better municipal government was receiving recognition, and had engaged

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the active interest of many civic associations in our larger cities. But their efforts were largely spasmodic, and usually ceased with the expression of a preëlection disapproval of the methods of some political ring, or of the unfitness of particular candidates.

The salient defect in the early work of these local associations was the lack of unity of purpose and action. Each association was fighting its own battles in its own way without regard to the broader phases of the municipal problem in which all had an equal interest. It, however, soon became apparent that some central organization was necessary to which all could look for inspiration and direction, if permanent and abiding results were to be secured. The whole situation demanded coöperation.

The various associations engaged in promoting better city government naturally fall into two classes on the basis of membership. The first class is composed almost entirely of city officials, engineers, and the managers of private plants; and the second, of those citizens who are not connected with any city government, but who are interested in its welfare. Among the associations which come in the first class are the American Society of Municipal Improvement, The American Water-Works Association, The American Gas and Light Association, The League of American Municipalities, and the various State Municipal Leagues. To the second class belong such organizations as the National Municipal League, The American Society for Civic Improvement, The American Economic Association, The American Political Science Association, and the scores of business, civic, and reform clubs of our cities.

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Of the national associations of the first class the League of American Municipalities holds a unique place. Its membership is composed wholly of the officials of those cities which belong to the league. Its work is not sectional, but the larger cities of all parts of the United States and Canada are giving it their active support. Its annual conferences are largely attended, and the discussions happily combine theory and experience. Naturally the line of greatest interest has been followed, and consequently the current administrative problems have been most widely considered, such as taxation, street construction and maintenance, the relation of the city to public service industries, municipal water and lighting rates, the social evil, and kindred questions. The opportunity for a significant and permanent work obviously lies open to this league. Ideas and experiences are exchanged, and the responsibility and interest of our city officials become more keenly emphasized. In this manner the narrow local spirit which is so often found, even in our metropolitan cities, is tempered by the influence of this more coöperative and comprehensive organization.

Among those national associations of the second class the National Municipal League occupies a conspicuous place. This league was organized in 1894 in the city of New York for the purpose of bringing into closer relationship the business, civic, and reform associations scattered throughout the cities of the country. During the brief period of its existence it has rapidly taken a commanding place by reason of the high character of the work which it has been able to accomplish. Its efforts have been so persistent and effective that the federated associations have acquired new hope and inspi-

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ration. By virtue of the scathing denunciation of prevailing practices of our city governments, the members of this association have often acquired the title of "theoretical reformers," given to them by the so-called "practical men" whose political influence would be endangered if the ideas of the league were accepted. These two ideas pitted against each other are tremendous factors in the work of civic betterment. It cannot be denied that the majority of the American people, and particularly the politicians, the members of our State legislatures and city councils—and our reforms must come through these channels—look with distrust upon any plan of action which is presented as a "model" or as a panacea for existing political ills. Those who come into contact with our legislative committees are in a position to realize the negative attitude which the average committee assumes towards any proposition which has in view a radical change in existing conditions.

The work which the National Municipal League is doing can certainly not be characterized as popular, but on the other hand it is often thankless and onerous. Out of the chaotic conditions of the early years of reform the league had its inception. Its avowed purpose was to unify and coördinate the work of the municipal reform agencies in all parts of the country. It was not, however, until 1898 that steps were taken to bring the scattered ideas into definite shape. It was in this year that a committee was appointed at the Louisville Conference for that purpose. The composition of this committee is the best evidence of the high character of the work which was to follow. Its recommendations were presented in the form of a general municipal law

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embodying the essential principles of municipal organization, which could be readily adapted to the urban conditions in all sections of the country. The object of the committee was to bring to bear upon the municipal problem the well known and accepted principles of government which we have developed in a century of political progress.

The essential features of the program may be briefly summarized. For sometime a feeling has been growing that the autonomy of our cities was endangered through the fussy interference of our State legislatures. Legislation was chaotic and unsympathetic, and on account of which lobbies thrived and corruption was common. As a measure of relief the committee proposed that our cities be guarded against legislative encroachment by confining legislation to those general questions in which all cities have an interest, and leaving to the city governments the power to deal with their own problems. Under such a provision the legislature of Pennsylvania could no longer construct expensive city halls, nor could the law makers at Albany legislate upon questions pertaining exclusively to the Greater New York. Another fundamental idea of the program is the separation of the legislative and executive functions of our city governments. These provisions are in harmony with our political development, and are designed to secure a more definite responsibility in legislation and administration. It also involves the abolition of a number of elective officers, and emphasizes the "merit" system. The committee also deals in a definite manner with the financial problems of our cities, and suggests methods for the rejuvenation of our city councils.

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We are certainly in no danger of over-praise when we credit the committee with the best examples of constructive work in municipal reform yet presented for public consideration. Some of the provisions have already found favor with our State legislatures, and each year will doubtless bring a fuller recognition of its purposes and principles. The committee has rendered a most important service by bringing together into definite form the inchoate and scattered ideas with reference to the organization of our municipal governments.

In connection with the work of the National Municipal League we must not fail to note the services of its Secretary, the Hon. Clinton Rogers Woodruff, of Philadelphia. It is largely due to his untiring and zealous efforts that the league has attained its commanding place among the various associations engaged in promoting better city government. With a never failing enthusiasm he has labored to bring the scattered forces of reform into closer coöperation and harmony. In the midst of an active professional life Mr. Woodruff has been in the thick of the struggle in Philadelphia and a fearless advocate of reform measures in the State legislature of Pennsylvania. He has worked with vigor and enthusiasm for the ideas for which the Municipal League stands, and the deep and widespread interest which has been created during the last ten years must be largely attributed to his persistent efforts. Under his direction the best thought of the day from the professional, public, and business walks of life is brought to bear upon these problems through the preparation of an important educational literature which is being widely distributed.

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But it is to the local associations of the various cities of the country that we must look for the completion of the work which the National Municipal League has outlined with such foresight and ability. These various local associations are engaged in carrying forward the work of the league in their respective localities. They are reaching the city councils and the State legislatures, and moving the business and social interests to action—in fact they are arousing everywhere an active public opinion which must sooner or later express itself in a higher average of city government. Many of these associations are also carrying forward independent investigations into local conditions, and publish from time to time a valuable and significant literature. Among these associations may be cited in particular the work of the Civic Federation and Merchant's Club of Chicago, the Reform Club of New York City, and the Municipal League of Philadelphia. The associations of Chicago, in connection with the common council, are now engaged in a thorough and comprehensive study of the street railway problems of that city and the system of municipal accounting employed in the city departments. In both cases substantial progress has already been made. In another direction the Civic Federation has performed a signal service by adopting a persistent and fearless policy of an open criticism of the private and public career of all candidates who present themselves for the position of alderman. As a result the character of the city council has been vastly bettered. The Reform Club of New York City has engaged in a work of permanent value by publishing the *Municipal Affairs* which ranks as the best magazine devoted wholly to the

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consideration of the general politics of city government. It has particularly placed the student of municipal conditions under a lasting tribute through the publication of a complete bibliography on city conditions, edited by Dr. Brooks. The work of the civic associations of other cities has been similar in character, and substantial progress has been generally achieved.

During the last few years there has been inaugurated a movement which in many regards is unique. We have already noted that the membership of the league of American Municipalities is composed of city officials. The work of this league is naturally confined to the greater cities. The smaller cities could be little benefitted by joining these larger organizations. In order that the problems of our smaller cities might be better understood and their officials brought into closer relationship, there has been organized a number of State municipal leagues which are composed of the officials of these cities. These State leagues are now active in Colorado, Iowa, Florida, Indiana, Pennsylvania, California, Michigan, Ohio, Kansas, Illinois, and Wisconsin. The leagues of California, Michigan, Iowa, and Wisconsin are probably in the most flourishing condition.

In 1898 the State of Wisconsin celebrated the 50th anniversary of her admission to the union. Those features of the festivities which were devoted to the scientific, literary, and political achievements of the State were assigned to Madison. Among the various societies and associations, which met at the capital city for the purpose of celebrating the progress achieved along various lines, was one quite unique in the history of the State. A progressive citizen,

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who happened to be mayor of the city of Madison, conceived the idea that great benefits could be conferred upon the cities of the State, if their officers should meet in closer coöperation in the solution of the many problems with which they were already concerned. Accordingly these festivities offered an opportunity for the city officers of Madison to extend to the cities of the State an invitation to meet together there upon that occasion.

The result was a large attendance from all parts of the State, and the interest manifested in the discussion as well as through apparent changes suggested the creation of a permanent organization.

The purposes and objects of the League of Wisconsin Municipalities are doubtless similar to those of other States. And while I am not certain that the committee in framing its constitution had before it any model, it summarized admirably, however, the objects and purposes of such organizations. The constitution states that the general aim of the League is to be as follows:

1st, The perpetuation of the organization as an agency for the coöperation of Wisconsin cities and incorporated villages in practical study of administration;

2nd, The holding of conventions for the discussion of contemporaneous municipal affairs;

3rd, The establishment and maintenance of the Central Bureau of Information for the collection, compilation, and dissemination of statistics, reports, and all kinds of information relative to municipal government; and,

4th, To secure such legislation as would be beneficial to the municipalities of the state, and the tax payers thereof, and to oppose and prevent such legislation as would be injurious thereto.

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The objects and purposes of the League are certainly pretentious, but no organization can exist alone upon its promises. In the main, the service of the League is twofold. It serves, in the first place, to promote good fellowship and to afford an opportunity for the city officers to get together and become better acquainted. In the second place it serves as an agency of information and discussion which may lead to well considered action in a given field of municipal work.

It is now left for me to show how far the League of Wisconsin Municipalities has made good its promises as set forth in the preamble of its constitution. And probably the best way in which to dispose of these promises is to take them up in the order in which they have been set forth. We have already designated some of the reasons for the perpetuation of the organization. However, it may be in order to say that it has constantly grown, until to-day it has a membership of a hundred cities and villages. The fees are made to cover the actual expenses of the association. We have not succeeded in getting all the cities interested; but were it not for the frequent changes of city officials, it would not be long before we would impress upon them the advantages of coöperation. Progressive officials realize at once the advantages of our association and gladly unite in extending its work.

Naturally, through our conferences interest has been aroused throughout the State in the work of the League. When the League was first organized we had two annual conferences, for the reason that it would be difficult to get city officials to go to any distance on account of expense and inconvenience; consequently we thought that by holding

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them more frequently in different parts of the State we would create a public sentiment which would induce the city officers of the State to coöperate with the League. It was later found advisable, however, to hold but one conference of a longer session, which would admit of a more varied program, and to urge the cities to pay the expenses of delegates to the conference. This has proven to be more successful, with the result that our attendance has increased until we have a goodly gathering of officials.

We have attempted to make our program bear upon the concrete problems of city government, such as sewage disposal, construction and maintenance of the streets and gutters, garbage disposal, public utilities, and the legislative needs of our cities. The educational value of these conferences is very great, and I find that cities send to them special committees to gather information upon some question before the city council. Instances are at hand of a considerable saving of money to cities by reason of attendance upon these conferences. I look upon our conference as an indispensable feature of our work. I have in mind one mayor who had trouble in convincing his council that a franchise for light should be rejected because of the excessive price demanded by the company. He took seven of his council to one of our conferences when this was a special feature of the program, and the result was a far more favorable contract for the city. Instances of improved sanitation have followed papers read by Dean Turneaure of our College of Engineering, and other experts in this field of municipal work. While in some respects the discussion of the conference is not as abiding as some other features of our

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work, still it affords an opportunity for suggestion which cannot be afforded through other means, but which is often more important and effective than an array of statistics and argument.

The third means through which the League carries on its work is that of the Central Bureau of Information. Through correspondence and printed reports, it undertakes the dissemination of any information which the city officers request. The object of this Bureau was to supplement the discussions of the annual conferences, and especially to supply statistics and literature to cities which desired detailed knowledge upon some specific problem.

The correspondence was of such nature, and the demand so great, that it was thought advisable to start an official organ of the league, for the purpose, periodically, of reaching the various city officials. Consequently a bulletin was first published which contained the program and the publication of the papers and addresses of the conferences. This, however, was found to be inadequate, and it was thought advisable to start a quarterly bulletin. Material accumulated, and this gradually passed into a bi-monthly, and finally into a monthly publication. This, however, proved burdensome, especially in the summer months; and it likewise involved some financial uncertainties, which has led to a reduction in the number of issues for the year, which is now nine.

The object of this magazine is to furnish a medium of communication between city officials and to print such news and information as would be of interest to them. It is not a pretentious magazine, but we feel that it has earned its

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right to exist. At one time we seriously considered the abandonment of the publication for financial reasons, but we found opposition to this policy.

We have divided *The Municipality* into departments, which are edited by the persons who are interested in the work of the department. We have extended the scope of the publication so as to interest county officers, and have also introduced a department devoted to woman's clubs in their relation to civic work.

The results of the publication of *The Municipality* of course cannot be stated, but we have specific instances of cities undertaking new lines of work, and increasing their activities along old lines by reason of the suggestions and discussions which have appeared from time to time in its columns.

We found, however, that there was still a demand for information which we could not supply through the columns of *The Municipality*. Information of a more technical nature was desired, which was found impossible to insert in the limited space of the magizine in a way which would be adequate for the city desiring it. We also found it impossible to devote our time to the preparation of an extensive brief or report in answer to the inquiries that came in from different cities. We recommended the purchase of books by the local libraries, but the funds at their disposal in many places were so small that naturally it was found difficult to make the desired purchases. Moreover, in order to induce the libraries to supply their shelves with a few books of interest to city officers and others, we prepared a list of books on municipal questions which was printed by the

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Wisconsin Free Library Commission and sent out to the local libraries of Wisconsin, Minnesota, Iowa, and Indiana. I have been informed that this list was quite welcome, and has been of great service to local purchasing committees.

But still inquiries came to the League along the lines of immediate and particular interest, and in such frequent number that it was suggested to the Wisconsin Free Library Commission that its traveling libraries be extended into this field. We believe that this plan is entirely unique in the annals of civic propaganda. It was thought to be worth while to start two or three traveling libraries made up of books and reports covering the best literature on city government, and especially treating of practical questions. The results attending this experiment have been quite gratifying. The libraries have been on the road two or three years, and the demand for libraries has far exceeded the expectation of the commission, or the League. Two libraries are on the road, each composed of twenty-two bound books, seventeen magazine articles and special reports. The libraries are left, as a rule, at the city hall or some convenient store for a period of two or three weeks. The expense to those desiring the libraries is merely that of transportation. The request for these libraries has come from various sources, not only from city officers, but from editors of papers, business and civic associations. If the traveling library has been put to a similar use in any State of the Union, I am not aware of it. I believe it to be a very valuable feature.

The fourth and final phase of our work is to prevent the enactment of laws which in the judgment of the League might prove undesirable and disastrous to the cities. Con-

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sequently one of the first steps taken up by the League was to appoint a committee on legislation with the power to map out a legislative policy, to put their plans into definite legislative proposals, and to appear before the proper committees of the legislature to urge their enactment.

In order to appreciate fully the task before the League in attempting to secure the legislation which it desired, it will be necessary to state briefly the conditions prevailing in the State of Wisconsin in respect to the municipal laws now in force. In the first place the cities of Wisconsin have grown up under the loose and lax policy of special legislation. Probably it would be difficult to find in any State a more violent and excessive use of this privilege of the special appeal to the legislature. The old story of lobbying for special privileges, and the same utter disregard of any plan in the organization of city government is fully apparent in the municipal history of the State. This condition of affairs continued until finally an amendment to the constitution was passed requiring uniform legislation for corporate bodies both private and public. This, of course, necessitated the enactment of a general municipal law which would take the place of special legislation.

A special commission was provided for the purpose of framing the general law, and the method and manner of its preparation is interesting if not wholly commendable. The commission was composed of excellent men, all lawyers, but it was at a period when little attention was given to the theory of the city government. At that time a municipal charter was viewed as a legal document. There was little if any attempt to bring to bear upon the charter familiar

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principles of political organization. The problem before the commission, as it has been given to me personally, was to secure a law which would do as little violence as possible to the special charters then prevailing in the State. The method followed by the commission was to get together the charters from the leading cities of the State, and to take from each such parts as deemed desirable, and to weld them together by a few connecting phrases. The result can be readily imagined. The charter grew in volume and was filled with endless details until its unity, if it ever had any, was obliterated.

But when the draft was submitted to the legislature it was impossible to make the law mandatory, and it was found necessary to permit the cities to adopt it if they desired to do so. The result was that the cities which were operating under special charters had become so accustomed to them that they were slow to make a change.

On the other hand, the rapid development and growth of the cities made new powers necessary. Consequently the cities were compelled to resort to some method in order to secure a remedy. Unfortunately they found it easier to go to the State legislature and get remedial legislation than to uproot their special charters and to adopt a law which was so cumbersome in detail and so certain as to the outcome of the judicial interpretation of its provisions. The remedial legislation was in the form of an amendment which permitted a city to adopt any portion of the general law relating to a given subject. In this manner the door of special legislation, in a limited form, was thrown open; since it virtually meant that the cities could patch up their special charters

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by adopting the necessary provisions of the general law. The result is that the provisions of the constitution, prohibiting special legislation, have to a considerable extent been set aside, and the incentive to adopt the general law as a whole has been largely removed, although one or two cities have done so in the last two or three years.

It is upon this statement of facts that the committees of the League have been compelled to build their legislative program. The object has been to secure uniformity of organization, and the steps which it has outlined as parts of this program were: (1) to secure a uniform term for all officers of a given class; (2) to provide some plan which would regulate the size of the council; (3) to secure biennial municipal elections; and (4) to secure a system of uniform accounting and auditing. The conditions confronting the committee were almost insurmountable, but it finally secured the enactment of a law making the term of mayor two years throughout the State, but it has not succeeded in securing biennial elections for the reason that we are compelled to hold judicial elections in the spring, and it seemed to the committee of the legislature that no good results would follow the election of city officers every two years when elections must be held for other purposes.

The League, however, has made some progress with uniform accounting for localities of the State. It has succeeded in securing the endorsement of the State tax commission, and there is much to encourage the hope that legislation along this line will follow soon. While the League has not accomplished all that it desired in the way of legislation, it is calling the attention of the legislature to the deficiencies

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of the municipal laws, and at the same time is asking the cities of the State to adopt the general law as a whole in spite of its deficiencies, and to concentrate their efforts upon securing amendments to it. In fact, several cities are now in correspondence with us in regard to the adoption of the general law.

We have thus briefly outlined the policy and work of the League of Wisconsin Municipalities. It is difficult to show the benefits which have been conferred upon the cities of the State by this organization. Its various activities are concentrated upon the technical problems of government, as well as to stimulate the interest of the officials and citizens in the government for their respective cities. We are attempting to open up an avenue of usefulness for those city officials who desire to contribute something to municipal experience which may prove a guide for our cities. We believe that the greatest benefit of the League is the encouragement of those city officials who are devoting their energy and time to the improvement of the condition of their respective communities. We feel that we have done something to enhance the office of mayor. The progressive mayors of the State take pride in identifying themselves with our organization, and in giving their assistance and counsel in promoting its influence and power.

The League has proven its right to exist by the work it has accomplished. Its future is full of promise. We have received great encouragement from men in public life who are not identified with city government. It has set in motion forces and agencies which are making for the better government of our cities. It is unifying the various agencies

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and particularly the city officers in a manner which will ultimately secure permanent results. Public sentiment is being aroused and reform ideas are coming from city officers without being classed as reformers. Particularly theory and practice here meet and discover that they are both essential to success in the proper administration of the affairs of our cities. The seeds have scarcely been sown which must ultimately strike their roots deep into the soil and yield their fruits abundantly in due season.

SAMUEL EDWIN SPARLING

THE UNIVERSITY OF WISCONSIN
MADISON

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SHELBY COUNTY

A SOCIOLOGICAL STUDY

[Continued from the January, 1904, number of the IOWA JOURNAL OF HISTORY AND POLITICS, p. 101.]

SOCIAL AGGREGATES

Among the social aggregates first to be mentioned are those held together by bonds of blood relationship. There are many families among the residents of Shelby County whose history is inseparably connected with that of the county. The influence which these families had on the community is seen in the fact that in many cases the family name became the name of the community. A notable example is Hacktown, where a father, mother, and several children by the name of Hack settled in a grove in what is now Fairview Township. They all lived in a close community for several years. The name Hacktown is now without meaning, for the family of Hacks has scattered. Later there was a similar settlement in Shelby Township, formed by the Myers family.

Nearly every family which settled in the county before 1870 left its definite influence in forming aggregates. Investigation shows that by a complication of intermarriages and the claims of either a common ancestry or a common birth-place the early population of Cuppy's Grove, Galland's Grove, Hacktown, and other settlements were bound in spontaneous aggregates more closely than would be possible for such people in voluntary associations.

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The Danes and Germans found themselves separated from the other parts of the population by their nationality; and the immigrants were considered as a "law unto themselves." Conditions in this county when the Danes began to come in 1867, as I have observed earlier in this essay, were such that it was not only natural but inevitable that they should be grouped by themselves. The English speaking people were already in possession of the soil with fairly well developed local institutions, such as schools, church societies, and a local government.

Many of the Danes had to work for the Americans as farm laborers, and were naturally looked down upon as foreigners. The Danes were sensitive and resented the attitude which was taken by many of the Americans. Attention might be called to a few cases of poetic justice which time has wrought. Thirty years find the tables turned in many cases, and the American settler who hired the young Dane has now become his hireling. Many sons of settlers who despised the Dane are now glad to work for him on the farm, in the shop, or at the store. Many of the Danes have bought the farms on which they once worked.

By force of circumstances the foreign population associated with the English speaking people, but the bond of union was economic. Merchants recognize this fact, and clerks who speak Danish or German are found in almost every store in the county.

In earlier times it was common for the Jones County folk, the Johnson County people, the Clinton County settlers, who had come from homes farther east, to meet in Jones, Johnson, or Clinton County reunions. Just as the Danes

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and Germans were brought here by the influence of their friends who had come earlier, so these people from eastern Iowa, Illinois, Indiana, Ohio, and farther east came because they had heard from friends and relatives that the prairies of Shelby County offered opportunities worth the taking.

The Danes and Germans are grouped geographically in a fairly definite manner. Some note with alarm that they are buying much of the land from the Americans. These "foreigners," as they are called, although many of them were small children when their parents came to this country, are really taking possession of the farms by virtue of their very sturdiness and their disposition to work hard and save.

By counting the business houses in Harlan it is found that over half the stores and shops are kept by Danes and Germans. Not counting the clerks, there are forty business men who are of Danish or German parentage. In buying the Americans make no distinction, and as a matter of fact patronize the merchant who furnishes the best grade of goods at the lowest prices. It is noteworthy that the Danes and Germans trade with their own kind. This is perfectly natural and may be explained in part by the recognition of the bond of nationality, a consciousness of kind, and a common language.

Business men recognize the necessity of making their customers feel at home, and so nearly every store has its clerks who speak English and one or more of the foreign languages. Every business man has his customers who prefer to deal with him and often refuse to buy of any other. Each business man has built up a custom peculiarly his own, which might be designated as an involuntary social aggregate.

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In the towns and country there are distinctions made on the basis of wealth. The amount of property, the size of the house in which a man lives, the part of town in which he resides, are made the bases of distinction by some people. A certain street in Harlan is designated as "Quality Row" by those who live in a less desirable residence district. Business and professional men occupy certain parts of town, while laborers predominate in certain other localities.

Expressions frequently come to the ears of the teachers in the Harlan schools suggesting distinctions in ability and culture among the children in the north and central schools. Observation proves, however, that the school asserted by some to be rough and rude does in fact behave as well as the so-called better schools.

In a rural community such as this there is one class which attracts attention, namely, the retired farmers. These men have made themselves independent by their labor and management, and have moved to town to enjoy rest and quiet association with their fellows during the years which remain to them. As a rule they are energetic and progressive and take a lively interest in the welfare of the town. They are a source of much merry-making. In their leisure they tell their experiences and ideas of farming; and they plant, sow, or reap, according to the season, in their conversations held on sidewalks or in public places. Although they are liberal as a rule, they are in a sense conservative, and any public improvements which call for an increased tax levy find at least some opposition among this class. Each town in the county has its quota of retired farmers.

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In the country there is a class distinction made between renters and those who own their farms. This is a distinction which is certainly based on wealth, for when the renter was a hired man he was a member of the family and shared in the family's pleasures.

Among the groups united by common interests we find rural schools and independent districts using all told one hundred forty-six buildings and employing one hundred eighty-five teachers.

In Elkhorn there is a college which has had a varied career as an institution of the Danish Lutheran church. The main building is twenty-six feet wide by ninety-four feet long, two and one-half stories high, with dormitories accommodating eighty students. It was built by the Danish community and is supported by tuition received from the students—fourteen dollars per month on the dormitory plan. The course of study includes the English and Danish languages, bookkeeping, shorthand, music, and such other studies as are usually taught in academies or high schools. During the present year three teachers were employed in this college. The public school employs two teachers.

The Sisters' school at Westphalia is conducted under the influence of the Roman Catholic church. In addition to the studies commonly taught in elementary schools, instruction is given in the German language. In several schools in Westphalia Township, German is taught because the parents want their children to learn to read the language of the fatherland.

The Danish Lutheran Orphans' Home is located at Elkhorn. It receives children from any Danish congregation in

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the United States and keeps them until they are of age. During 1902 this home cared for twenty-three children, and at present it is caring for twenty-five. It has property worth $40,000, received during the past year $1,476.68, and expended the sum of $1,426.28.

Of the many business associations or partnerships which exist in this county there are a few which deserve notice from the student's point of view. One of these is the coöperative creamery which owes its success to the fact that a sufficient number of men, who keep cows for the money they make, have built these creameries and supply them with the necessary cream. Shelby County men had taken stock in creameries before, but the enterprise failed because not enough milk could be procured by the creamery to supply the amount necessary to run the plant with profit.

Some of the creameries collect the cream by sending out wagons with three or four tin cans, which hold about thirty gallons each. The driver skims the milk and measures the cream, which is paid for at so much per inch. Many farmers now own their own separators, for which they pay about $100. This is especially desirable in case the creamery is one which uses the separator plan; for the milk after having been taken to the creamery and separated becomes sour and unfit for food even for pigs—much less for calves—before it can be returned to the farm. A cream separator pays for itself in a few months through the use of the by-product.

One creamery in the village of Corley served its patrons doubly by giving them a market for their cream and by carrying their mail. Parcels were also carried, and small shopping was done by the milk hauler.

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These creameries are especially prosperous in Jackson, Fairview, Monroe, and Clay townships among the Danish people. The following report shows what one creamery brings into a community: milk received, 2,308,867 pounds; butter fat, 765,445 pounds; butter made, 90,505 pounds; amount received from sales, $17,283.37. The gross price for butter was 19 $\frac{9}{100}$ cents per pound throughout the year.

A young man who was a "hired man" five years ago told me in August, 1902, that he was selling $70 worth of cream per month. He employed a man and a girl who helped him milk seventeen cows night and morning. This man counted his receipts from cream as pure gain, because the milking took very little time that could be used profitably for anything else; while the herd grazed on the bottom and timber land which was fit for nothing but pasture.

The following extracts from the articles of incorporation of three of the creameries set forth the plan of coöperation.

1. Articles of Incorporation of Center Creamery Company, Filed for Record March 10, 1900.

ARTICLE VI

The object of this association is to handle all milk and to manufacture it into first class butter and to sell same for patrons; factory to be operated on the coöperative plan, patrons to receive their proportion of the net proceeds of each month's make in money. Each patron's share to be based on what part of the whole amount of milk each patron furnishes. Necessary running expenses to be deducted each month together with a sinking fund which shall be applied toward the first cost of the creamery plant.[1]

[1] There are forty-five men in this association.

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2. Articles of Incorporation of the Clay Township Creamery Company, Filed for Record March 22, 1903.

ARTICLE V

In case the Company's business should become unprofitable and would have to dissolve, all unpaid moneys invested shall be equally divided among all members who shall be compelled by law to pay their equal share of such indebtedness.

ARTICLE VI

If a member should withdraw or quit selling his milk without good reason, he shall after six months be compelled to pay his share of all debts concerning said company except in case of death, selling out, moving out of the township, or quit farming.

ARTICLE VII

In case this company shall have to dissolve, a two-thirds vote of all members shall be required to decide.

ARTICLE VIII

This constitution may be amended by two-thirds vote of the members present at any lawful meeting.

3. Articles of Incorporation of the Corley Creamery Company, Filed for Record February 16, 1901.

ARTICLE XI, SECTION 2

The object of this association is to handle milk and cream separated by centrifugal separator and manufacture the same into first class butter and sell for the patrons, factory to be operated on the coöperative plan. Patrons to receive their portion of the net proceeds of each month's make of butter money, each patron's share to be based on what part of the whole amount of milk or cream such patron furnished in proportion to the amount of fat in such milk or cream. Necessary running expenses to be deducted each month and a sinking fund, which shall be increased or decreased by two-thirds vote (to pay interest, taxes, and the plant) to be made to the patrons

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of each month's milk as soon as all returns are in. There will be no dividends.

The above articles are copied literally from the county records.

The tables of figures which follow indicate the political preferences of the county as a whole. They show also how each precinct voted in the elections of 1901 and 1902.

VOTE FOR PRESIDENT 1900

PARTY	CANDIDATE	VOTE
Republican	McKinley	2182
Democratic	Bryan	2010
Prohibition	Wooley	32
Peoples	Barker	6
Social Democratic	Debs	8

	VOTE FOR GOVERNOR 1901		VOTE FOR CONGRESSMAN 1902	
TOWNSHIP	CUMMINS	PHILLIPS	SMITH	CULLISON
Cass	91	154	90	156
Center	103	51	95	60
Clay	114	74	126	80
Douglas	114	76	117	83
Fairview	73	90	72	81
Greeley	99	46	102	40
Grove	71	68	70	65
Harlan, first ward	111	56	87	70
Harlan, second ward	87	65	99	84
Harlan, third ward	65	49	55	60
Harlan, fourth ward	72	52	63	62
Jackson	82	102	82	121
Jefferson	137	71	125	88
Lincoln	75	82	71	85
Monroe	114	56	110	69

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	VOTE FOR GOVERNOR 1901		VOTE FOR CONGRESSMAN 1902	
TOWNSHIP	CUMMINS	PHILLIPS	SMITH	CULLISON
Polk	94	43	82	48
Shelby	175	117	198	135
Union	121	140	118	130
Washington	84	125	55	127
Westphalia, precinct 1..	35	115	29	101
Westphalia, precinct 2..	7	121	8	112
Total	1926	1753	1855	1866

Total vote for Governor 3679. Total congressional vote 3721.

The German vote is conspicuously Democratic, especially in the two precincts of Westphalia Township. In 1902 thirty-seven of two hundred fifty-nine voters in Westphalia voted the Republican ticket. Among the Germans in Cass, Lincoln, Fairview, and Shelby townships there is not the approach to unanimity that we find in Westphalia, although the Germans are as a rule Democrats. The Germans in Shelby Township are Lutherans and Republicans.

Among the Danes there is nearly an equal division in the preference shown to political parties. In county affairs they will often favor a candidate who is personally pleasing to them, although he may be on the "other ticket."

Both Democratic and Republican parties are organized with county central committees, and township and ward chairmen; and the voters are carefully listed, so that it is possible for the enterprising chairman to have a committeeman visit every man known to affiliate with his party. In this way the party canvass is as closely made as in the cities where bosses are working. Even the rural communities have their political leaders, who are sometimes elected but

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more often self-appointed. By taking hold of the work, and thus becoming influential, by attending township caucuses, by being sent as a delegate to the county convention, by doing political jobs for candidates, these leaders are rewarded later by a deputyship or possibly by a nomination to a county office.

In addition to the Republican and Democratic parties there have been organizations of the Prohibition party, the Populist party, and the Free Silver Republican party. Other parties have received a few votes. For example, Debs, the Social Democratic candidate for President, received eight votes in 1900. The Prohibition party has a following of less than forty men who believe that the only way to settle the liquor question is to vote the ticket of that party. That there are plenty of people who do not favor the liquor traffic is shown by the fact that there are no saloons in Shelby County. It is impossible to secure a sufficient number of petitioners.

For several years prior to 1900 the Peoples party had a loose organization. In the election of 1900 only six voted for the presidential candidate of the party. At one time the party was assisted by the establishment of a weekly newspaper, *The Industrial American*, which was to be the organ of the party. Through vicissitudes and changes in ownership the *Harlan American*, has become a Democratic organ, and the majority of the members of the Peoples party are now voting the Democratic ticket.

Fusion has become absorption where the Free Silver elements have joined the Democratic party in this county. The Free Silver Republicans joined the Populists in 1896,

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and later both joined the Democratic forces. The three county conventions were held at the same time in different rooms in the court house at Harlan. Later a joint meeting was held and fusion agreed upon with much rejoicing.

Among the social aggregates in this county are churches of the following sects: American and Danish Baptist, American and Danish Adventist, Congregationalist, Catholic, Christian, Dunkard, German and American Evangelical, Episcopal, Latter Day Saints, Methodist, Presbyterian, United Brethren, and Union. The small towns of the county are all well supplied with churches—so well, indeed, that the congregations in many places are too small to support a pastor for full time. And so one pastor is sometimes called upon to fill two pulpits.

The Catholic church finds its adherents largely among the Germans, and their church building at Westphalia is one of the best in western Iowa. A few Irish Catholics attach themselves to the German churches in various parts of the county. There are Catholic churches in Harlan, Westphalia, Earling, Portsmouth, and Panama. Some of the Germans who live in the southern part of the county attend the Catholic church at Avoca.

The Danes are found chiefly in three churches—the Baptist, Lutheran, and Adventist. Many of the young people and some of the parents attend churches which hold no services in the Danish language. The Danish Baptist church in Monroe Township, as well as the one in Harlan, holds morning service in Danish and the evening service in English. The Lutheran center is Elkhorn for the Danes and Shelby for the Germans.

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The Dunkards have a church building at Bowman's Grove in Center Township. They attract some attention by their piety and their simplicity of dress. The poke bonnets which the women wear are especially conspicuous.

The earliest settlers of Shelby County were members of the church which was established among the people who left the Mormons at Council Bluffs—then known as Kanesville. The Latter Day Saints still have a strong congregation in Grove Township where many of their people settled. Harrison County, which is just west of Shelby County, also has a large number of these people. Some of Harlan's early settlers were Latter Day Saints, and a small congregation still exists in this town.

The Methodists have the largest number of congregations in the county.

If one could assemble instantly and without notice all the people in church on a Sunday morning it would be a representative assembly—representative of the best moral and intellectual elements in the county. But many wives and mothers would appear as the sole representatives of their families. It is safe to say that the assembly would constitute a minority of the people. Indeed, all the churches filled would hold not more than seventy-five per cent of the people living in the towns alone.

The church societies play an important part in determining cliques in all the towns of the county. Even the county seat is hopelessly divided for social functions by the lines which are laid for church activity. The young people of each church flock together, and even the older people find the company of other sectarians distasteful at times. Some-

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times there are smaller groups within the church itself. The several churches or sects differ on questions of popular amusement such as card-playing, dancing, theatre-going; and groups are easily distinguished in some of the churches on the basis of card-playing.

Sometimes distinctions are drawn which are clearly false and entirely artificial. The presumption is common that a certain church has a monopoly on the richest denizens of the town; that another represents the "best society" in its large membership; and that still another is "the poor man's church." These distinctions are non-essential to the differentiation of religious groups, and are simply man and woman made, distinctions fostered in the sewing society, in the young folks' entertainments, or in conversation wherever it turns upon church matters.

The young people enjoy the union meetings of the young peoples' societies for religious work; and the effect of such meetings is marked by its broadening influence. One pastor has organized a club of men whose special function is to improve the Sunday evening meetings. The club is constantly supplied with work to do and, therefore, has some reason for existence.

The holiday vacation of the young people attending college causes a readjustment in the grouping for the time being. The renewal of old acquaintances and the effort to entertain the friends who have returned for the holiday season have a marked tendency to break down the church lines. In many cases the bond of union is in the hostess alone.

There are family reunions, neighborhood gatherings,

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quiltings, and carpet-rag sewings in the country, and Kensingtons in town. In Westphalia weddings often bring three hundred people together. On these festal occasions there is usually an abundance of refreshments and entertainment. Beer and dancing are essential at the typical wedding in Westphalia. There are many weddings among the Germans which are consummated without the "celebration," but as a rule all the friends and neighbors join in the felicity of the wedding day, letting it take precedence over all other claims and duties.

Fraternal societies flourish in this county. The Masons are strong, having lodges in Harlan, Defiance, Shelby and Irwin. Together with the Eastern Star, the sister lodge, these form a strong bond of union among a large number of the leading citizens of the county.

The Odd Fellows Order was established in Harlan in 1873, a year after the organization of the Masonic Order. There are lodges of this society at Shelby and Irwin, but their membership is not as large as is that of the Masons. Associated with the Odd Fellows is the order of women known as Rebeccas.

The Knights of Pythias once had a flourishing lodge in Harlan, but like many other insurance orders interest decreased. The organization, however, still exists. On the other hand, the lodges of the Legion of Honor and the Ancient Order of United Workman have passed entirely out of existence.

In addition to the societies already mentioned there are the Woodmen of the World, the Modern Woodmen of America, the Maccabees, and an attempted organization of a new Homestead of Yeomen.

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The Modern Woodmen and their sister society, the Royal Neighbors, recognizing the necessity of something more than inexpensive fraternal insurance to hold a group of people together, have equipped their lodge rooms comfortably and provided kitchen and dining rooms with proper furniture. They spend many pleasant evenings together as a big family. I am confident that the lodge has acquired many of its three hundred members through the influence of the good-time social side of the organization.

The Danish Brotherhood established in Harlan in February, 1903, already has a membership of fifty persons. Similar lodges in Jacksonville and Clay Township have about the same membership.

The A. P. A. was very active in the county for a short time when that society was flourishing generally throughout the country. Their organization in this place was disbanded because of internal dissension.

The P. E. O. society maintains a subscription library containing about fourteen hundred volumes of choice fiction, travel, biography, and children's books. The ladies explain that the "new books" are the ones most called for, and hence the library is made up largely of recent works of fiction. The society charges five cents per book, with the privilege of keeping it two weeks, or one dollar for a certificate for a year. For two years the ladies have managed a course of entertainments which profited them about two hundred dollars last year (1902) and about one half that sum this year (1903). All money received is put into books. The library is open every Saturday afternoon and evening when books are issued by a committee which works for the sake of the

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cause of a public library. The lack of necessary public support prevents for the present the possibility of a Carnegie building.

The Political Equality Club, Woman's Christian Temperance Union, and the Woman's Union are societies among the women for purposes of improving moral and political conditions. The Woman's Union is not a select organization, but it is open to all women who are interested in improving local conditions. Recently the society interested itself in beautifying the town by encouraging the cultivation of flowering plants and the care of lawns, parkings, and alleys. A flower contest among the children was one of the devices used to accomplish the desired ends.

Other minor organizations tend to group and re-group the people. It is moreover a fact that a few people belong to many societies, and many people belong to no organization except the church. At the same time it is true that the many need the benefits of associations more than the few.

SOCIAL ORGANS

There are three general systems of social organs: (1) Sustaining System; (2) Transporting System; (3) Regulating System. Under the sustaining system are included all social organs which are engaged in the production of wealth in either the extracting or the transforming industries. The transporting system conveys wealth and population from one part of society to another. The regulating system coördinates and renders efficient the activities of the sustaining and transporting systems and disciplines and developes the physical powers of persons and society. The regulating system is

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essentially concerned with the generation and communication of psychical influences—knowledge, feeling, and willing. Every person or group of persons holding a piece of land performs the service of gaining control over food conditions or of uniting the land and population. Now there were very few conditions placed on the owners of Shelby County land as they acquired possession of the soil. A land agent (mentioned above) was to sell land to German Catholics, and for every acre sold he was to pay fifty cents to the church.

The government has, of course, exercised its special function at various times to appropriate property needed for the public welfare, for highways and railroads.

Many of the residents of the towns have taken advantages offered by building and loan associations. Others have experienced the disadvantages arising from poorly organized associations. These latter cases should be discussed under the topic "Social Pathology."

Loan offices are established now where the savings of the frugal Davenporters or the assets of insurance companies can be borrowed on good security at a low rate. The local banks also furnish farmers and cattlemen ample funds with which to carry on their business.

ORGANS OF PROTECTION

It is impossible to separate the ideas of protection of property from the food process. In the early history of the county the family performed all the services of shelter and defence for itself. Hotels there were none on the prairie, and in almost every cabin where there was room on the floor a traveler was welcome to sleep. It is told that in the fifties

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west-bound travelers could always pay for their lodgings and meals, but when some of the disappointed gold seekers came back from the west their grateful appreciation of the kindness of the host was sufficient compensation because it was all they had to offer. Then the family dispensed its own medicine, made its own clothes from calico and homespun, captured game, made sweetening out of sorghum or maple sap or watermelons, prepared a substitute for coffee by roasting various cereals, used coarse flour and coarser corn meal, and cracked corn. In fact the family provided its own defense against nature and protection from the elements in almost every particular.

Every township in the county has its trustees, who with the clerk constitute the board of health. The county employs on contract physicians whose duty under the terms of the contract is to care for the sick among the poor. In 1902 the county spent $937.53 for medical services for paupers, and $1,430.72 for quarantine and expenses in contagious diseases, making a total expenditure of $2,368.27. Quarantine is enforced in all cases of contagious or infectious diseases.

The school board of the independent district of Harlan passed a rule that all children who have been absent from school on account of sickness shall present a certificate from a practicing physician stating that the child has no contagious or infectious disease. The school authorities and the board of health coöperate to the advantage of both.

The county is on the whole well drained. The towns having water works draw the supply from wells. The supply of water for Harlan is from wells which are within fifty

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feet of the Nishnabotna River. There is a thick bed of fine sand through which the river water would have to pass if any of it got into the wells. The city provides a dumping ground and inspects alleys and private premises in the interests of the health of the community. This is done by a committee of the city council.

In 1891 the city of Harlan voted to establish a system of electric lighting. A sum amounting to $15,000 in bonds and $3,500 in warrants covered the expense of installing the plant. The rates established and charged down to 1902–3 are indicated as follows:

RESIDENCE	16 CP.	COMMERCIAL	CHOPHOUSE
1 Light	$1.00	$1.00	$1.00
2 Lights	1.25	1.25	1.25
Additional	.35	.50	.65

Churches and lodges are required to pay three cents per night for each 16 cp. lamp.

But these rates were unsatisfactory because the plant was running behind. In 1901 there was a deficit of $10,207.62 charged against the electric light. The present city council urged on by the Commercial Exchange, began to investigate and devise plans whereby the plant could be made to pay its own way. Several sources of loss were discovered; many lights were in use which were not recorded on the books of the city clerk; there was a considerable loss in the operation of the engines and dynamos; the mains were in poor condition; the power house was too far from the center of the district using the lights; but the greatest source of loss was found to be that many of the consumers burned all of their lamps whenever the current was on.

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Small leaks in the purchase of wire and other supplies were also found; and discounts and other rebates heretofore unnoticed are now obtained. In the past eleven months the system has made a net gain of $1,344.72, due to the more careful operation of the plant, an increase in the number of lights and the use of meters. The council has just adopted the Westinghouse scale with a meter rate of fifteen cents per kilowatt for each 16 candle power lamp for thirty days' use.

At present there are sixty-three meters in use—thirty-five per cent of the service. Meters have not been put in unless the consumer advanced the price of the meter and accepted the service of lights for the sum of $17. The city retains the title to the meters. It has already been shown that the use of meters will more than double the capacity of the plant.

The plant consists of boilers, engine (Corliss), two dynamos of 175 horse power and a voltage of 220 direct current, producing 643 kilowatt hours per day of an average of eight and one half hours, and generating a current of 856 horse power. There are 45.8 miles of mains and 3 miles of branch wires (all overhead work). There are 1,700 lights used at present. The total cost of the plant to date has been $22,303.62.

Income for the current year is indicated as follows:

Commercial and private lights	$7,037.96
Public lights	800.00
Other sources	1,800.00
Total	$9,637.96

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Arc lights used in business houses are furnished at the rate of $4.50 per month. The meters save consumers one-third of the former rentals. One case may be mentioned where eleven lights with the meter cost less than four lights on the flat rate.

Fire limits have been established within which no frame building may be erected. A voluntary fire company of sixty members does splendid service whenever there is a fire. The telephone system makes the sending of the alarm and its spread a matter of only a few minutes. Here the transporting system overlaps the sustaining system.

Many insurance companies have agents here who offer to insure against loss by storm, fire, lightning, or accident. There are two mutual fire insurance companies which have a large number of policy holders. One company deals in farm risks only, the other confines its insurance to town dwellings. Both companies afford a very cheap and an entirely satisfactory insurance.

The Danish farmers perfected an organization which was intended to equalize losses occasioned by hailstorms. The Farmers Mutual Hail Insurance Association was incorporated May 7, 1898. Among other specifications in the articles of incorporation, I find that policies to the amount of $50,000 were to be issued before any insurance was valid. Each policy holder was to pay a share of the loss according to the ratio which his policy bore to the whole amount of insurance in force. The company ended its existence after a severe hailstorm which ruined the crops of nearly every policy holder. No losses were paid. The county carries insurance on its public buildings to the amount of $86,850.

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There was a time when there was no need of banks, but now twelve banks serve the people by protecting the money entrusted to them. One of these banks keeps its deposits in a safe which occupies a conspicuous place in a large window in plain sight of everyone on the street. The fact that the city employs a night watchman and that the safe is claimed to be burglar proof makes the location of the safe in the window an additional safeguard.

ORGANS FOR THE PRODUCTION AND EXCHANGE OF WEALTH

In this community the organs for producing wealth are largely extractive. Agriculture is the occupation of a large majority of the people. Of 17,932 people who live in this county 5,350 live in the towns. Less than one third of the inhabitants are not engaged in farming. Of this number many who live in towns depend on the farms to provide them with a livelihood. The transforming industries are few. A carpet and rug factory which makes and sells a very good loom has grown out of a one-room carpet weaving shop solely by the skill and ingenuity of the boy who saw how he could make a lever throw the shuttle and return it.

Similarly from a blacksmith shop in which there worked a man who saw how he could make gasoline furnish power has come a gas engine which is a marvel in simplicity and power. A company has been organized to enable the successful enterprise to be carried out more completely. The company has already provided new machinery for the factory which will turn out gas engines, motors, and automobiles.

A canning factory erected in 1903 consumed the product

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of over three hundred acres of sweet corn. Contrary to the custom of promoters of such enterprises the community was asked to provide only the site and guarantee the planting of three hundred acres of corn.

There are many other minor industries which might be mentioned in this connection, such as flouring mills, brick plants, cigar factory, broom factory, creameries, and industries which are partly domestic in their organization. Here also we list masons, carpenters, dressmakers, shoemakers, bakers, and so on through the list of those who in the union of the land and population add their capital of tools and strength to produce wealth.

Exchange is still carried on in some parts of the county in primitive ways. Barter is used extensively in buying produce from the farmers, many of whom find it difficult to use all the credit gained by the marketing of eggs and small fruit. Some have resorted to seeking special patrons at first hand without the assistance of the storekeeper.

One merchant has discontinued the use of due bills because of the many errors which arose. He now issues metal checks which call for goods at his store to the amount stamped on the face of the check. It is interesting to note that this "tin money" is readily accepted by his fellow merchants. Inquiry proved that business courtesy was not the explanation of the ready acceptance of this medium, but rather the fact that the merchant who issued the checks could redeem them in goods or cash and that he was willing to do so at any time.

Much of the exchange is conducted on a credit basis by the use of checks and drafts. The deposits of the three

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banks of Harlan aggregate over a million dollars. The postoffice is used by many as a banking institution in that they depend on postal money orders to forward money in small amounts. The express companies perform the same function.

ORGANS FOR THE TRANSMISSION OF WEALTH

The organs for the transmission of wealth are few in addition to the function of the family in inheritance. Agents of various life insurance companies and benefit associations are found here. In accordance with the statute there exists a commission for the purpose of assessing the collateral and inheritance tax.

ORGANS FOR TRANSPORTATION

The organs for transportation in early days consisted of oxen or horses and wagons as private conveyances and the stage coach as a common carrier. Until 1869, when the Rock Island Railroad was completed to Council Bluffs, it was a two days' trip to market or mill and return. Then Avoca became the market place for many Shelby County people. The ridges which run nearly north and south furnished excellent prairie highways the entire distance to Avoca. Many a farmer who now has to drive up and down the hills with his loads of grain longs for the good old times of the ridge road and wheat at a dollar a bushel.

In 1878 a branch railroad was built from Avoca to Harlan by a company called the Avoca, Harlan and Northern Railway Company whose function was to prepare the roadbed which the Rock Island agreed to tie and iron. The local company succeeded in getting a tax levied in Lincoln,

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Harlan, Westphalia, Douglas, and Greeley townships. This tax varied from one to four per cent on a dollar of taxable property, varying with the advantages to be gained by the operation of the railroad. After the road-bed was completed the Chicago Rock Island & Pacific Railroad Company leased it for ninety-nine years.

The main line of the Chicago Milwaukee & St. Paul runs across the northwestern part of the county passing through Defiance, Panama, and Portsmouth, and has 24.81 miles of track. The Rock Island has only 17.15 miles of track, while the Northwestern has 18.72 miles in the branch line which was extended as far as Harlan in 1900. Previous to that time the Northwestern ran only to Kirkman. The Great Western has completed a road diagonally across the county from northeast to southwest. Two additional roads are much talked of, an electric line from Des Moines directly west and a line from Manning to Marne. These roads would pass through country that is now twelve miles from a railroad. This territory is now reached by no public conveyances, and the only access is through private means of transportation. The mail carrier sometimes takes passengers, and creamery wagons assist in the public service of transportation.

Hotels have their omnibus lines and baggage wagons, and many dray lines have been established. Numerous livery barns supply teams and vehicles for many persons for whom private conveyances would be too expensive.

The delivery wagons and messengers of merchants form a considerable part of the transporting system. The oil wagons in town, which follow definite routes in the country

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a few times each week, serve a large number of people in a substantial manner.

Farmers have united in their efforts to transport the farm produce easily. The men exchange work usually of a like kind. It is not uncommon to see a dozen wagon loads of hogs brought into town in a procession. The number of teams used is limited by the size of the drove to be transported. At such a time every farmer helps his neighbor and is helped in return when he markets his own hogs. Many loads of lumber are taken to the farms after such a marketing.

THE COMMUNICATING SYSTEM

The transporting system does a great service to the public by providing a means of communication. The railroads which make possible the present postal system, and the telephones and telegraphs by which rapid communication of ideas is accomplished are the material means which unite the people of Shelby County with the world. What it means to be shut out from the rest of the world is felt occasionally when accidents or storms prevent the arrival of the usual mail.

The communicating system of Shelby County expressed in miles consists of the following:

C. & N. W. R. R.	18.72 miles
C. M. & St. P. R. R.	24.81 "
C. R. I. & P. R. R.	17.15 "
American Express	18.72 "
U. S. Express	41.96 "
Harlan & Avoca Telephone and Telegraph Company	35.10 "
Western Union Telegraph Company	60.68 "

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There are about four hundred and fifty telephones in Harlan and vicinity, and of this number over fifty are on the rural lines. Inquiry at the central office brings out the fact that the busy time begins about seven o'clock in the morning and reaches its height by half past nine. Business is steady until noon when there is a lull during the dinner hour. From three until five and from seven until eight are busy times for "Central." There are very few calls after eleven o'clock at night. The desire to talk seems to go in waves over the town. Sometimes there is not a call for several minutes; then suddenly there will begin a wave of calls which sometimes lasts for twenty minutes. The service is continuous and offers good connections with neighboring towns. It is of much greater service than an earlier system which was operated twelve hours in twenty-four with no Sunday service.

The press constitutes a very important part of the communicating system. In this county at present there are six weekly papers published in addition to five Danish publications. The latter are written elsewhere with the exception of one whose name translates *The Voice in the Wilderness.* The local papers published in the county seat contain columns of notes from various correspondents in other towns and in the rural districts. Greater attention is given to local news than to items of wider interest because there are many daily papers taken. The three rural free delivery routes greatly increased the circulation of the daily papers.

Commercial agencies keep banks and merchants informed as to the standing of business men in other communities. The banks serve as local commercial agencies because they

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can give information concerning the credit of almost every resident of the vicinity.

The weather service forecasts are announced by displaying flags on one of the business houses, by bulletins in the postoffice, and by small flags displayed by the rural mail wagons.

The Commercial Exchange of Harlan gathers and spreads information concerning the locality, and as an organ of communication forms a center in which the public spirited men of the town come together to make plans for the advancement of common interests. The Agricultural Exchange, consisting of nearly one hundred men, is urging the matter of better roads. The Fine Stock Association built a large pavilion on the grounds of the Shelby County Fair Association for the purpose of having a place for the sale of fine stock. The groups which gather at such sales and the hundreds who attend the annual fair are important aids in the communication of the knowledge of the best products and the best methods of production.

Church, school, and lectures furnish continual information for the population. Sermons are filled with practical facts bearing on the morals and spiritual life of the people. The schools broaden the horizon of the child's experience by giving him new material for thought and connecting him with rich experiences of the past. Public lecture courses are popular and have become an important feature even in some of the smaller towns in the county.

The commercial traveler not only tells the retail merchant of the best things which the wholesale house has to sell, but he learns of the demands made by the people on the retail

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dealer. When the drummer reports a general demand for some special article the whole set of productive and transforming organs are set in motion to supply the new call.

Other minor means of communication are found in the groups which gather in the postoffice, at lunch counters, in billiard halls, and in business places and offices. Advertisements in the newspapers, on the bill boards, and by means of printed or typewritten letters sent through the mail in plain envelopes, or delivered by messenger, furnish the people with much undervalued information.

THE REGULATING SYSTEM

The regulating system shows many interesting phases in its history. A few extracts from the county records pertaining to the first elections show how the County Judge and the Justice of the Peace were once in control of affairs. It is noteworthy that these early records set forth the election of certain men to office, but do not give the number of votes each received nor the names of the opposing candidates. Other details were omitted which are now found in county records. Below are several extracts from the records showing the location of the first county seat, the division of the county into townships, and the results of early elections.

COUNCIL BLUFFS, December 3, 1853.

A majority of the voters of Shelby County, Iowa, as shown by the petition and certified to by the District Clerk of said county, the county officers being electors.

I therefore appoint Marshall Turly of Council Bluffs City; J. F. Vails of Crawford County; Lorenzo Butler of Harrison County, who within two months of receiving notice of said appointment, be-

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ing sworn, or two of them shall locate the seat of justice for said county as near the geographical center as may be having due regard to the present as well as future population of said county. [1]

SAMUEL H. RIDDLE,
Judge 7th Judicial District.

The next item has no date, but the entry immediately preceding is dated February 21, 1854, and the one immediately following, July 3, 1854.

I, James M. Butler, County Judge, do hereby divide the county of Shelby into two townships for the purpose of holding elections in the same, which precincts are known as Galland's Grove precinct and Southern precinct.

At an election held in Shelby county, Iowa, on Monday, the 3rd day of April, 1854, William H. Jordan was elected to the office of County Judge; Milton M. Beebe was elected to the office of Sheriff; Alexander McCord was elected to the office of Treasurer and Recorder; Adam Cuppy was elected to the office of Drainage Commissioner; James Ward was elected to the office of Prosecuting Attorney; and James Perry was elected to the office of Surveyor.

April 7, 1854.

JAMES BUTLER, County Judge,
THOMAS MCCORD, Justice Peace,
URIAH ROUNDY, Justice Peace.
} County Canvassers.

At an election held in Shelby County, Iowa, on Monday, 7th August, 1854, for the purpose of electing one member to Congress, Governor, Attorney General, Auditor of State, Secretary of State, one Senator, County officers, County Judge, Recorder and Treasurer, District Clerk, a School Fund Commissioner, Prosecuting Attorney,

[1] It is interesting to note that the seat of justice was located in the northeast one-fourth of section 27, township 81 north, and range 40 west, which is in the northwest corner of the county. The present county seat is very nearly in the geographical center.

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County Surveyor, and Justice of the Peace, the result is as follows, to-wit:

For Member of Congress..	Augustus Halle had	43	votes
	Rufus B. Clarke	9	"
For office of Governor	Curtis Bates	33	"
	James W. Grimes	19	"
Auditor of State.....	Jos. Sharp	29	"
	M. L. Morris	11	"
	Andrew Stevenson	18	"

At an election held in the county of Shelby on the 2nd day of April, 1855, there were votes cast for the office of Register of State Lands—Anson Hart had one vote.

For the office of Des Moines River Improvement, Wm. McKay one vote, J. C. Lockwood one vote. Prohibitory Liquor Law—*for*, four votes; *against*, fifty votes.[1]

On the first Monday in April, 1858, an election was held to vote on the question "shall stock run at large." The total vote cast was 113 of which number 62 voted in favor of the law and 51 against.

The above extracts show that the early records of the county as kept are very incomplete. The records of the Justices of the Peace show many cases settled. One part of the record given below suggests the scope of work undertaken by the Justice's court.

STATE OF IOWA, Shelby County:

An inquisition holden at Elkhorn Creek, near the east line of Shelby County, on the 7th day of April, A. D. 1869, before Martin Poling as Justice of the Peace, acting as coroner of said county upon the body of J. W. Wilson there lying dead, by the jurors whose names are hereto subscribed, the said jurors upon their oaths do say that the said Wilson is supposed to have been killed on the 15th day

[1] It is to be inferred that the liquor law was of so much interest that the two offices to be filled were almost entirely ignored.

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of November, A. D. 1868, by lightning. In testimony whereof the said jurors have hereunto set their hands the day and year aforesaid.

Attest,
MARTIN POLING, J. P.

W. L. DAVIS,
D. S. BOWMAN,
ELIAS MONROE,
Jurors.

I return a transcript of the above to the clerk of the District Court.

MARTIN POLING, J. P.
Acting as Coroner.

The judicial system, courts, and lawyers are above the many authorities which arise out of the public sentiment for right doing. These centers of authority are the church, school, and the indefinite "they" of public opinion. It is in a measure the product of church and school to which is added the sentiment or opinion which seems to grow and scatter itself from nowhere in particular to everywhere in general. Wherever men meet and talk this same intangible force is growing. Not only are fashions fixed by this same influence but morals, religion, and politics come under its sway. Custom and precedent are powerful allies of public opinion especially among the conservative people.

The press has great regulative power. Whenever efforts are needed to secure any enterprise or to make any reform the papers do a great deal to influence public action by the information supplied and the arguments offered. Not a week passes but the press urges the resistance of some wrong, the assistance of right, and the advancement of the common welfare.

A certain bookstore refuses to sell trashy stories to boys and girls, thereby raising the standard of the reading of many young people.

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The Woman's Union in carrying out its plans for a cleaner and more beautiful city is regulative in its nature. All the associations or societies which are educational in their nature must be regulative to the degree that they impose local conditions.

The organs of government are specifically regulative through police, the courts, and prescribed administrative regulations.

SOCIAL PATHOLOGY

We have noted that the area studied is a composite society, possessing not only a social body with its organs, but also a social mind which acts, directs, and makes itself felt constantly. It is the product of association and the cause of social activities. The test of the efficiency of the whole organism or of any part thereof is the greatest possible good to the individuals who compose it. That there are many who are not getting the greatest possible good is due in part to the social disease from which no social organ is altogether free.

Diseased individuals cannot adequately perform their social function, and so the social fabric is weakened by the physical ills of the members of society. As a rule the boards of health in every township of the county are alert and careful to place contagious or infectious diseases in quarantine, but sometimes those restrained fail to realize the necessity of a conscientious observance of regulations. There have been no serious epidemics of ravaging disease. The occasional case of typhoid fever or similar diseases can be accounted for by unsanitary conditions in the immediate vicinity. The drainage is good and general conditions are

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healthful. The number of births during the past year exceeded the number of deaths. Small pox, scarlet fever, and diphtheria have caused very few deaths. These diseases persist in some parts of the county because the people are unwilling to use the necessary care in disinfecting the premises.

Poverty and pauperism do not furnish in a rural community the problems which are so important in the city. But even in such a prosperous agricultural section as Shelby County it seems necessary to have a permanent home for paupers. The county owns a farm of 166.39 acres, which lie in section 36 of Lincoln Township. The farm as now operated contains one hundred acres of pasture. In 1902 this farm produced ninety tons of hay, twelve hundred bushels of corn, and one hundred bushels of potatoes. The farm is not self-supporting; and that the indoor relief furnished is expensive is evident from the following statistics which are taken from the financial statement for 1902 issued by the County Auditor:

Dr.		
Total cash expenditures during the year 1902		$ 5,693.17
Inventory of stock and other property at beginning of year		7,034.97
Insurance (per annum)		60.00
		$12,788.14
Cr.		
Sales of stock and other products as shown elsewhere	$4,339.86	
Inventory of stock and other property at close of year	5,821.01	
		$10,160.87
Dr. balance		$ 2,627.27

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Total number of inmates cared for in 1902	16
Average number of days for each inmate	206
Average number of inmates during the year	9
Whole number of weeks of maintenance	466
Average cost (cash) per inmate per week	$5.64

From the same source we gather the following facts concerning outdoor relief.[1]

EXPENSE OF PAUPERS OUTSIDE OF THE POOR FARM

House rent	$ 24.40
Monthly allowances	807.00
Clothing	10.55
Provisions	285.91
Medical aid	888.50
Burial expenses	25.75
Expense shipping out tramp	5.00
Total	$2,047.11

The total expense of the public support of the poor for the year 1902 was $4,674.38. Just what is meant by the item, "Expense shipping out tramp," cannot be stated. It is a fact that the officials of the community have given such parasites a few dollars and a few hours to leave the county. The tramp usually follows the main line of the railroad; so that the tramp problem may be increased for Harlan when the Great Western begins to operate its trains.

On Thanksgiving Day each year the churches of Harlan hold a union service, one part of which is the collection of a thank offering that is to be used in assisting the poor of the community in order to prevent them from calling on public charity. In case of sickness or misfortune temporary aid, judiciously given, has prevented pauperism. The aid is ad-

[1] This does not include private charities or that given by the association of churches of Harlan.

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ministered through the pastors, two of whom sign an order upon the treasurer for the money to purchase the necessary supplies.

Of a total of one hundred and nineteen adjudged insane from 1871 to March 15, 1903, thirty-two were Danes, twenty-one Germans, and the remainder distributed among other nationalities. From January 1, 1900, to March 15, 1903, twenty-seven persons have been adjudged insane; and of this number two were Germans and thirteen Danes—nine men and four women. On March 15, 1903, there were twenty-nine insane from Shelby County in the hospital at Clarinda. Fifteen of these were Danes. There are two reasons commonly offered for insanity among the Danish people—their intermarriages and living in isolation. Doubtless hard work, melancholy, and brooding over cares are the causes which unbalance the minds of most of those who have been pronounced insane. During the year 1902 the county paid $5,791.27 to the State Hospital at Clarinda for caring for thirty-seven patients. The Home for the Feeble Minded at Glenwood received $57.30 for caring for five persons sent to that institution.

Although vice and crime have not increased noticeably there is a tendency on the part of too many young men and women to disregard parental authority and to neglect consideration for the rights of the general public. Such manifestations of a viciousness in the garb of good society do more damage ultimately than the thief who steals and is caught and punished.

During the past fifteen months there have been four cases of suicide, one attempted murder, and several cases of seduction that have come to judicial notice. In six months

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there have been five violent deaths by accident and one suicide. These things are mentioned not because they are characteristic, but because the county has to contend with these difficulties just as does any other community.

There is a condition of the social mind that is distinctly pathological. It grows worse as the special organs increase. The individual is becoming more and more forgetful of his relation to the social whole. Social unconsciousness is upon a large number of the population. The only way society can be cured of its ills is for each individual to realize his relation to the social whole and to be willing to sacrifice something for the common good. Prevention of social wrongs will then make cures unnecessary.

We have now traced the growth of this society of Shelby County from its first crude settlement to the present time, when the farmer enjoys his fine home with its books, music, telephone, and rural free mail delivery. There is a marked contrast between the oxen and wagon, and roadster and family carriage; forty miles to mill and postoffice, and forty feet to the mail box; the assessed value of all the property in the county in 1854 at $20,599, and in 1902 at $19,729,913.64. There has been almost a thousand fold increase in less than fifty years.

To ride through the beautiful valleys and see the fifty herds of registered thoroughbred stock, the large barns, and the fine groves is to be amply assured of the material progress and prosperity of the county. To learn to know the people and their ideals is to be convinced that their social progress has been great and that it will continue with an increase in the next generation equal to the material progress of their fathers.

JOHN J. LOUIS
HARLAN, IOWA

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THE CONSTITUTION OF COLORADO

A study of the framing of a constitution for a western State such as Colorado is full of historical interest; for such a document reveals the degree of progress reached in a political evolution that has covered centuries of time. A new State constitution has appeared in America, on an average, every year since 1776; and these constitutions taken together form almost a complete history of the progress of democracy in this country.

The study of State history, especially in the West, will probably receive much more attention in the future than it has in the past. The pioneers in the West labored, like their fathers in the East, through years to establish free institutions; but, while the children of Colorado know well the history of the great struggle of the Puritans and the founders of Virginia, they know relatively nothing of the pathfinders of the mountains and plains. Without this knowledge the younger generation cannot thoroughly appreciate the Commonwealth of their nativity. Nor will such study result in sectionalism, but rather in a broader view of the history of American institutions and in a realization that the work of the founders was to transplant the old institutions and to transform them, in a measure, to fit new conditions.

Local affairs and government have always held first place in both the English and American mind. The citizen comes

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in contact with local government five times while he comes in contact with the national government once. Good local government is, therefore, always the first consideration; and a study of local history is a very efficient method for awakening interest in and for causing a realization of the importance of good local government both for the present and as a foundation for the future.

Francis Newton Thorpe, in a recent article,[1] says: "The political value of State constitutional history lies largely in the range of a man's thoughts. It might seem, if the history of the suffrage be taken as an illustration, that without a familiar knowledge of the organic laws of the States and of the conditions prevailing at the time of their formation, no one can hope to understand the present aspect of great public questions."

The Constitution of Colorado has a noble ancestry. The model followed in its framing was the constitution of Illinois. This is largely accounted for by the fact that many of our early pioneers came from the central and southern parts of that State. At the close of the eighteenth century Virginia was sending immigrants into Ohio and Kentucky, and these States in turn furnished pioneers from 1800 to 1830 for Indiana, Illinois, and Missouri. Among the latter who came to central Illinois was Abraham Lincoln.

The first constitution of Illinois was required to be in harmony with the Ordinance of 1787 which governed the Northwest Territory. The general model for the constitution of Illinois was the constitution of New York. Thus it

[1] Francis Newton Thorpe, *The Political Value of State Constitutional History*, in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. I, p. 29.

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is seen that the constitution of Colorado is in direct line of descent from the very earliest documents of the Republic.

The act enabling Colorado to become a State was approved by President Grant, March 3, 1875. Hon. Jerome B. Chaffee was largely responsible for the successful passage of the act in Congress. On Monday, October 25, 1875, an election was held for delegates to form a State constitution. The constitutional convention assembled December 20, 1875, in Denver, in the third story of the building then known as the First National Bank Building situated at the corner of 16th and Blake streets. Ministers from the various denominations were requested to act as chaplains. Among these ministers were: Bishop John F. Spaulding, Dr. Lord, Revs. Eads, Finch, Sturtevant Bliss, Haskill, Adams, Hawley, and Linn.

The convention at the time of its assembling was face to face with many difficulties. First of all, two constitutions had already been framed and both had met with defeat. In 1864 the territorial legislature petitioned the Thirty-eighth Congress to pass an enabling act providing for the admission of Colorado as a State. The enabling act was passed by Congress, but the constitution prepared by a convention under the authority of the enabling act when submitted to a vote of the people was rejected in October, 1864. In 1865 another constitution was framed by a convention and adopted by a vote of the people. This, however, was done without the sanction of the national government, and Congress at this time was not disposed to admit Colorado as a State. But an exigency arose. Congress needed the services of another representative and two senators to assist in the

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impeachment of Andrew Johnson. Another enabling act was passed, but it was vetoed by President Johnson after senators had been elected and were in Washington waiting to take the oath of office.[1] These conventions had been held at great expense to the Territory. The constitutions framed were more for the temporary purpose of gaining admission than for the future use of the State.[2]

For the first time in such a case Congress had appropriated twenty thousand dollars of the public money in aid of the Territory in paying the necessary expenses of a convention. This grant was obtained through the efforts of the Hon. Thomas M. Patterson, at that time the territorial representative of Colorado. If the work of the convention failed to receive the endorsement of the people, its members feared that another similar grant would not be made.

The problem of forming a stable government for a small population scattered over such an enormous area was not an easy one. The Commonwealths to the east lay in close proximity to developed country, but Colorado had a population not exceeding one hundred thousand scattered over an area nearly as large as New York, Pennsylvania, New Jersey, and Delaware combined. A large proportion of this population consisted of newly arrived immigrants, unused to the peculiar and severe conditions imposed by the climate and surface formations of the country. Obstacles unheard of in their former homes lay in any line of communication. No crops could be thought of until some system of irrigation

[1] These senators were John Evans and Jerome B. Chaffee.

[2] Judge Hall's *History of Colorado*, Vol. II, Ch. XIV. This chapter was written by Judge. H. P. H. Bromwell.

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had been devised. Starvation for man and beast often faced these pioneers. Even provender for cattle had to be brought in wagons to some districts.

The convention met at a time of great financial depression. The panic of 1873 began to produce its disastrous results in Colorado in 1874 and nearly reached its worst in the early part of 1876 while the convention was in session. Another and perhaps greater cause of disaster came in 1873 with the incursion of the Rocky Mountain locusts. This great pest plagued the State throughout 1873, 1874, and 1875. The effects of this visitation upon agriculture in a new State can hardly be realized.[1] A local history never fails to mention the coming of the locusts. With all of these difficulties the convention had to frame a constitution and provide for laws to meet some absolutely new conditions in mining, irrigation, agriculture, and stock raising.

The members of the convention were: Joseph C. Wilson and Robert Douglas, of El Paso County; Casimero Barela, George Boyles, Jesus Maria Garcia and Agapito Vijil, of Las Animas; Wm. E. Beck and Byron L. Carr, of Boulder; Wm. M. Clark and Wm. H. Cushman, of Clear Creek; A. D. Cooper, of Fremont; Wm. W. Webster, of Summit; H. R. Crosby, of La Plata; H. P. H. Bromwell, Frederick J. Ebert, Clarence P. Elder, Lewis C. Ellsworth, Daniel Hurd, and E. T. Wells, of Arapahoe; Wm. B. Felton, of Saguache; John S. Hough and J. W. Widderfield, of Bent; Lafayette Head, of Conejos; Wm. H. James, of Lake; Wm. R. Kennedy, of Hinsdale; Wm. Lee and George G. White, of Jefferson; Alvin Marsh and Lewis C. Rockwell, of Gilpin; Wm.

[1] "Grasshopper mortgages" soon covered many a ranch.

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H. Meyer, of Costilla; S. J. Plumb and John S. Wheeler, of Weld; George E. Pease, of Park; Robert A. Quillian, of Huerfano; W. F. Stone and Henry C. Thatcher, of Pueblo; Wm. C. Stover and Abram K. Yount, of Larimer; and P. P. Wilcox, of Douglas. There were thirty-nine in all.

The chief officers of the convention were: President, J. C. Wilson; Secretary, W. W. Coulson; Enrolling and Engrossing Clerk, Fred. J. Stanton.

In a recent editorial the *Denver Republican* gives the following estimate of the men who framed the constitution after their work had been tried for twenty-seven years: "The ablest body of men that ever assembled in Colorado was that which framed the constitution of this State. Their work was a credit to them and it has been vindicated in the high approval which has been given the organic law of the State, notwithstanding certain recent attempts to mutilate it."

Another editorial gives an estimate of the personal character and attainments of the oldest member of the convention, Judge H. P. H. Bromwell, as follows: "To those who knew him no encomium or eulogy is necessary, but his attainments, nobility of character, and splendid citizenship are a joy to those who came within his charmed circle and ought to be deeply memorialized in the minds and lives of the younger generation. Dying toward the close of his eightieth year, his life exemplifies the noblest product of our country in the last century. Proficient to a high degree in a half dozen languages, living and dead, he added to this store a knowledge of mathematics, science, literary and polite learning such as the university furnishes to its most

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finished product. This man had never been within the walls of a college until he was called to deliver a learned address to a graduating class. Deeply versed in constitutional, statutory, and common law, he added the quality of statesmanship, and was called by his fellow citizens of Illinois to represent them in Congress, when in very truth 'the office sought the man.' The people of Illinois made him one of the builders of their constitution, and when the foundations of our State were laid he fitly became the master builder of our constitution..... Fortunate was the friend who had his friendship and enjoyed close communion with him as gentleman, lawyer, scholar, poet, philosopher, and statesman."[1]

In politics, fifteen of the members of the convention were Democrats and twenty-four were Republicans.[2] One was an ex-member of Congress, one an associate justice of the Supreme Court of Colorado. There were two ex-district attorneys, twelve judges and ex-judges, probate and district. There were fifteen lawyers, three bankers, one newspaper man; and the remainder about equally divided among merchants, stock raisers, farmers, and speculators. Fifteen of the thirty-nine were natives of Pennsylvania.[3]

The services of some members who have never received great public recognition were invaluable to the convention.

[1] The *Denver Republican*, January 10, 1908.

[2] "Many members of the convention were obliged to travel from four hundred to ten hundred and sixty miles, crossing several ranges of mountains at the line of perpetual snow."—The memorial to Congress reported by Gen. B. L. Carr, of Boulder.

[3] Judge E. T. Wells' account of the constitutional convention, found in the *Legislative History and Biographical Compendium of Colorado*. Pp. 147–168.

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Some new and difficult subjects were dealt with by these men most skillfuly.

A number of the members have since the time of the convention rendered important service both to the State and to the national government. Of these, Casimero Barela, Wm. W. Webster, Lewis C. Ellsworth, Clarence P. Elder, and Wm. H. Meyer have served in the State Senate; and Robert A. Quillian, George E. Pease, and Robert Douglas in the House of Representatives. Mr. Barela has served in both houses—in one or the other continuously. Alvin Marsh has held the office of Attorney-General; Wm. H. Meyer, Lieut. Governor; Wm. H. Clark, Secretary of State; Willard B. Felton, Secretary of the Senate and Warden of the Penitentiary; P. P. Wilcox, United States Marshal; and Wm. W. Webster, Capitol Commissioner. From the committee on the Judiciary Department, besides Felton, Marsh, Wilcox, and Pease mentioned above, have been chosen four members of the Supreme Court—E. T. Wells, Henry C. Thatcher, W. F. Stone and Wm. E. Beck, the latter having also served on the District Bench.

"The Spanish-speaking by nativity were Messrs. Vijil, Garcia, and Barela. Mr. Barela, in consequence of his command of the English language, stood as the leader of the representatives of the Spanish-speaking population. Messrs. Vijil and Garcia, though embarrassed at times by being compelled to resort to the aid of an interpreter, engaged earnestly and with ability in the work of the convention. Mr. Vijil supported the provision prohibiting the division of the school funds. Mr. Barela and Mr. Garcia were absent when this vote was taken."[1]

[1] From Judge Bromwell's account of the convention which I have used freely.

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Mr. Meyer of Costilla and Col. Head of Conejos represented two of the "Mexican counties." Mr. Meyer was acquainted with several languages and represented many classes of people.

That the members and officers were faithful to their task is shown in part by the fact that they continued at their work, adjusting, amending, and revising for twenty-one days after the expiration of the time for which they would be paid. They did this, too, at much personal sacrifice. About nine years after the convention they were awarded the unpaid part of their salaries by a voluntary act of the legislature.

After some partisan strife over the chief offices, party politics was almost completely eliminated. In the newspaper reports of the convention there is hardly a reference to any activity for mere partisan reasons.[1]

Among the questions receiving most thorough discussion were: corporations, common carriers, disposition of public waters, public schools (especially in relation to freedom from domination of religious organizations), taxation, salaries, restrictions against indebtedness, school lands, and the suffrage.

The report of the committee on the Bill of Rights was the first to be presented to the convention. It was under discussion on the fifteenth day of actual sitting. It was very thoroughly prepared and contained some provisions not found in any other constitution. Section fourteen, providing "that private property shall not be taken for private

[1] The *Rocky Mountain News*, the *Denver Times*, and the *Tribune*. Judge Wells has a bound volume of newspaper clippings covering this period. Judge Bromwell bequeathed a similar volume to the State Historical Society of Colorado.

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use unless by consent of the owner, except for private ways of necessity and except for reservoirs, drains, flumes or ditches on or across the lands of others, for agricultural, mining, milling, domestic or sanitary purposes," is a western addition to those ancient and famous statements which precedent forces into our State constitutions.

Many petitions were received asking for a recognition of the Supreme Being in the statement of the Preamble. These requests were finally heeded.

The report of the committee on the executive department was adopted with little discussion. But, as in nearly all other State constitutional conventions, there was in the Colorado convention much discussion over the other two departments. The convention hoped that by numerous restrictions it could control the common tendency of State assemblies to over-legislation. The restrictions, however, have not proved effective.

On the plains the people's courts held sway, and in the mountains the miners' courts were the recognized tribunals. These courts had proved efficient and had grown popular. It was now the task of the committee on the judiciary to form an adequate system of courts to transplant these popular courts. This was done after much intelligent discussion and labor.

Illinois had followed Virginia and Kentucky in choosing county government rather than the township system. Colorado, following Illinois, now adopted the southern plan of the county system rather than the northern idea of the township. At the time the constitution was framed conditions were not favorable for the county–township, or mixed sys-

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tem of local government, which prevails in most of the States. The township demands permanent compact settlements; and these Colorado did not have. The miners controlled small tracts of land, but they were unsettled, going at will from camp to camp. Except in a very few cases the people did not come in colonies to form settlements, but they came largely as individuals and often without their families. Stock raising required areas of land that would cover many townships in eastern States. The agricultural lands were scattered along the river valleys in elongated strips. For these reasons the county system prevailed in Colorado and has continued to the present.[1]

The convention determined that the General Assembly should consist of twenty-six senators and forty-nine representatives until 1890, when the number should be increased to thirty-five senators and sixty-five representatives (which was done). Senators were to be elected from districts, and representatives from counties.

On the question of suffrage the convention took a forward step. Reforms of the first half of the nineteenth century had swept away the old religious and property qualifications for voting and further emphasized individualism. The next step in this process was the extension of the suffrage to women. As early as 1846 George William Curtis and Horace Greeley in the New York convention had made their great defence of woman suffrage. The Colorado convention feared that the new constitution might not be adopted if woman suffrage was at once established and so provided that

[1] *Historical Sketch of Colorado* in *The Civil Government of Colorado*, by J. S. Young. Pp. 14, 60, 61.

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the First General Assembly should, and any subsequent session of the Assembly could, pass a law submitting the question to a vote of the people.[1] Mr. Thatcher presented a petition signed by one thousand voters in Colorado and Missouri asking that woman suffrage be adopted. The Massachusetts Woman's Suffrage Association also sent a petition signed by James Freeman Clark and William Lloyd Garrison. Judge Bromwell,[2] who is called the father of woman suffrage in Colorado, in speaking upon the subject said that the ruin of nations is caused by three things: "Contempt of Deity, contempt of women, and contempt of law."

The convention also inserted a section in the constitution providing for an educational qualification for voters by law after 1890, but no such law has been passed.

When the question of public schools was reached many petitions and counter petitions were presented on the subject of the division of school funds. The convention finally decided that the school fund should forever remain inviolate and intact and that the State must make good all losses to the fund. The question of the Bible in the schools also received much attention, but no statement was made for or against its being taught.

One of the longest debates in the convention was upon the question of the extent to which church property should be taxed. Like many other questions this was settled in a liberal and broad way by freeing from taxation all buildings and grounds actually used for religious purposes.

[1] The victory for woman suffrage was finally won in 1893.

[2] The minority report on the suffrage was introduced by Judge Bromwell and indorsed by Agapito Vijil.

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It was declared that the rate of taxation should never exceed six mills on the dollar; when the valuation reached one hundred millions it should never exceed four mills; and when the valuation was three hundred millions the rate should not exceed two mills. It was provided that the appropriations should never exceed the amount produced by these rates; but every year since 1882 the State has exceeded the prescribed limit of taxation—an example of the powerlessness of specific limitations in constitutions.

Under the head of officers was inserted a curious survival from southern constitutions, namely, that any person who should be criminally connected in any way with the fighting of a duel should not hold any office in the State. The Kentucky convention of 1849 had adopted this regulation after long and heated discussion.[1] Delegate Hough introduced a resolution that no person who denies the existence of the Supreme Being should hold an office under the constitution. Judge Bromwell sought to defeat the pernicious fee system by a substitution of salaries, but was unable to accomplish the reform.

In their "address to the people" the delegates stated that "probably no subject had come before the Convention causing more anxiety and concern than the troublesome and vexed question pertaining to corporations." All western constitutional conventions had the same difficulty, for the West has had to struggle with trusts and monopolies in a peculiar way. Remote from the great markets, the West has suffered much from the arbitrary methods of

[1] Thorpe, *A Constitutional History of the American People*, Vol. II, pp. 126–134.

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public carriers, speculators, creators of "corners" and money lenders.[1] We find another example of complete disregard of the fundamental law in "watered stock," for the constitution declares that "all fictitious increase of stock or indebtedness shall be void."

One of the ablest speeches of the convention was delivered by Mr. Ebert on *Forest Culture*. The General Assembly was directed to enact laws for the preservation of forests, and also to encourage the planting of hedges, orchards, and forests by exempting from taxation for a limited time the increase of value in such lands as a result of the improvement.

It was enacted that the laws of the State should be printed in Spanish and German until the year 1900 in sufficient numbers to supply the inhabitants using those languages.

The last article of the constitution covers the question of amendments. Judge E. T. Wells, of the committee on the Judiciary has said that "the provision of the constitution which is most objectionable is perhaps that which allows an amendment upon a bill enacted by one legislature merely." The number of articles that can be amended at one time has since been increased to six.

A portion of the judiciary committee brought in a report proposing that a popular election for the choosing of electors for President and Vice President should be called by the convention in the election ordinance. Judge Pease of that committee at once opposed the plan, on the ground

[1] Thorpe, *The Political Value of State Constitutional History*, in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. I, p. 33.

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that such a provision would be null and void for the want of power in the convention to deal with the subject. A lively debate followed, which resulted in the convention resorting to the method which had formerly obtained in South Carolina and other States, namely, leaving the electors for the year 1876 to be chosen by the legislature. A new legislature could not possibly be elected and meet in time to order an election by the people. This was the legal course as the legislature is the only body that can elect or provide for the election of the presidential electors.

The decision in favor of this method proved to be of great consequence. In fact, it changed the result of a presidential election. With the vote of Colorado, Rutherford B. Hayes was elected by a majority of one. If Colorado's electors had been chosen illegally, their election would have been declared void and Samuel J. Tilden would have been elected by a majority of two.

The last work of the convention was to draw up and issue an address to the people.[1] This address was a clear and excellent statement of the main features of the constitution. In it many arguments were presented favoring the adoption of the work of the convention. Special attention was called to the necessity of gaining statehood at once in order that the State might select its share of government land before settlers had taken up all the mineral, forest, and agricultural lands. The immense amount of this land is seen when we remember that the school lands and the grants in the enabling act amounted to two hundred and twenty-two sections

[1] *State and Governmental Papers*, issued by the authority of the Fourth General Assembly, 1883; and *Legislative Manual*, 1903, pp. 283–291.

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or one hundred and forty-two thousand and eighty acres. Furthermore, by a previous act of Congress, Colorado, when she became a State, was to receive five hundred thousand acres of the public land within her borders.

The convention adjourned March 15, 1876, after having been in session eighty-six days with seventy-two actual working days. The constitution presented to the people is one of the longest of all the State constitutions. It has been said that it is a wise convention that knows the difference between a constitution and a code. While the Colorado constitution is excellent in many ways, and interesting from the point of view of the historian, its greatest fault is that it is a long code of laws rather than a brief statement of principles establishing a system of government. Where checks and limitations are too numerous and too restrictive they are very liable to be disregarded; and a disregarded constitution is worse than no constitution at all. It has been said in defence of our constitution that it has many provisions for adjustments, which is true. The number of articles was necessarily large because of the many separate and distinct sets of interests in the State.

The constitution was voted on and ratified July 1, 1876. The vote stood as follows: total vote, 19,505; for the constitution, 15,443; against it, 4,062;[1] majority in favor, 11,381. The vote was very light, thus giving credence to the general impression that our population was too small to justify the concession of statehood. The light vote was due more to the fact that the election was held at a busy time for farmers and miners than to indifference.

[1] Hall's *History of Colorado*, Vol. II, p. 328.

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On Tuesday, July 25, Mr. John M. Reigart, private secretary to Governor Routt, left Denver for Washington bearing a duly authenticated copy of the constitution and ordinances, an abstract of the votes cast at the election, and copies of proclamations and other incidental papers together with Governor Routt's certificate to President Grant.

The beautiful enrollment of the Constitution now in the State Department of Colorado is the work of Mr. Stanton, the enrolling and engrossing clerk. Mr. W. H. Salisbury executed the fine copy that was sent to Washington.

On the first of August, 1876, President Grant issued his proclamation declaring Colorado a member of the Union.

Twenty-one amendments[1] have been made to the constitution since its adoption. The first amendment was adopted (supposedly) in 1878 relating to the appointment and place of residence of certain officers. A portion of the election records of 1878 are missing from the Secretary of State's office, among them being the vote on this amendment. In 1880 an amendment was adopted exempting certain improvements upon land from taxation. In 1882 the salaries of State officers were fixed as they are at present. In 1884 the people adopted the amendment making the compensation of legislators seven dollars per day with mileage of fifteen cents per mile. Article five was further amended by adopting the present method of introducing and passing a bill in the legislature and declaring the time in which it should become a law. In 1886 four sections of Article VI were amended, all relating to the State courts. In 1888 the indebtedness

[1] An amendment must receive a two-thirds majority in the General Assembly. It is then submitted to a vote of the people at the next general election.

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of counties was regulated. In 1892 it was declared that the rate of taxation should never exceed four mills. Municipal authorities were also given power to tax certain property exempted from State taxes. In 1900 the General Assembly was given power to propose amendments to six articles at one session. This wholesale method of changing the fundamental law resulted in 1902 in the adoption of one entirely new article, making the city and county of Denver coëxtensive, and in changes in four other articles. By these changes the General Assembly was directed to provide by law that the eight hour day should be legal for laborers in underground workings, blast furnaces, smelters, ore reduction works, and other injurious and dangerous occupations; citizenship and a residence of twelve months were made a requisite for the privilege of the ballot; while other sections amended related to the office of district attorneys, county judges, county commissioners, justices of the peace, constables, and the regulation of the time of election of county officers. The amendment under the name of the Australasian Tax Amendment was defeated at this election—one of the very few amendments proposed to the people that have been defeated. An amendment once proposed by the legislature is almost invariably adopted. At the coming November election two amendments will be submitted to the people, the first exempting two hundred dollars worth of personal property from taxation and the second to consolidate the appellate courts and have seven judges with ten year terms for each.

The constitution of Colorado has proved to be an admirable document in many ways. Cries for a new constitution

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will arise in the future as they have in the past; but by a broad interpretation the present fundamental law is adequate for almost all possible conditions. The efficiency of a constitution depends very largely upon its interpretation. A poor constitution broadly and wisely interpreted is often better than a good constitution restricted by a too narrow interpretation.

Federal relations and numerous national questions can be thoroughly understood only by a study of State history. In order to facilitate this study the States should publish their official documents and early archives. While a number of States have done this Colorado has failed to preserve officially much of the material relating to her early history. No official account of the constitutional convention has ever been published, nor have the speeches and debates of that convention been preserved. Such speeches and debates are always of value because of the light they throw upon current history. American political institutions rest very largely upon the intelligent sympathy of the people and intelligent sympathy requires an intelligent view of the past.

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SOME PUBLICATIONS

Arnold's March from Cambridge to Quebec—A Critical Study Together with a Reprint of Arnold's Journal. By JUSTIN H. SMITH. New York: G. P. Putnam's Sons. 1903. Pp. 498.

There are several reasons for the deep interest which attaches to the march of Benedict Arnold from Cambridge to Quebec. In the first place, it is a magnificent illustration of the wide scope of Washington's military statesmanship. It is one of those military conceptions which the detractors of Washington's military ability are called upon to explain. In the second place, the leader of the expedition was a man whose whole career is both interesting and important. Arnold was a traitor, it is true, and he will deservedly bear this name as long as American history is studied; but he was also one of the ablest men of his time. His career up to the fatal episode of West Point would give him a very high place among Washington's assistants. In the third place, the march to Quebec demands attention because of the contemporary march of Montgomery to Montreal by way of Lake Champlain. Again, this march to Quebec fell just short of being a brilliant success. It is interesting to speculate what would now be the condition of Canada if Arnold had succeeded. Furthermore, this study is one of the best illustrations in our history of the part which the apparently accidental has to play in the destiny of a people. Arnold failed because of a series of apparently trivial accidents. And finally, the march to Quebec opens up a most profitable field of study in the realm of historical geography, the importance of which is now being realized.

Professor Smith has given us a magnificent resumé of the history of this expedition. It is quite likely that in the future some points, still obscure, may be cleared up, that some of the original manuscripts, the absence of which at present the author laments, may come

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to light, and that subsequent research may add to our knowledge of some particular points in this story, but it is difficult to see the need of a future treatise on this topic in its entirety. The volume is a very satisfactory compendium. Its arrangement and perspective are admirable. The notes are full enough to justify their segregation. The bibliography is complete enough to excuse the use of numerals to designate titles. The reader is under the necessity of following three pages at once during the course of the perusal. It is annoying, but the labor pays.

There is only one lack in the volume which could have been readily supplied, namely, maps. In a discussion of this character there is need of as much attention to maps as to notes. The notes are beyond fair criticism, but more maps are to be desired. The outline maps are good so far as they go, but they ought to be more numerous and more detailed. Frequently the text mentions places which are not to be found on any of the maps. Some readers might object to the excessive capitalization. Still others might wish to see the word American used in another sense. A man in Quebec was as much of an American as a man in Boston. Canada is and was just as much American as Massachusetts. As a matter of fact the only real Americans in the entire coterie were the Indians. But after all these defects are trivial. The volume stands for a very superior piece of critical scholarship. Its method of investigation is thoroughly orthodox. Its results are exhaustive and convincing, and its style, too often neglected in works of this character, is clear, natural, and entertaining. The volume is commendably free from irrelevant discussion and superfluous verbiage. The teacher of history in our modern American college can hardly find for his advanced students a better illustration of the real historical method both in investigation and in the working up of materials.

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American Railway Transportation. By EMORY R. JOHNSON. New York: D. Appleton and Company. 1903. Pp. 434.

To one acquainted with the literature of transportation it is apparent at a glance that this volume is the most systematic attempt yet made to cover the economic aspects of railway transportation in the United States. The subject is not exhaustively treated—that would require a work of many volumes in length—and some readers will no doubt not agree with the author as to the relative amount of attention that should be devoted to the several phases of the question.

Though the author did not intend this work as a text-book, it is the teacher of transportation in our colleges and universities who will give it the warmest welcome. Treatises there are in abundance upon various aspects of the question; but nothing of sufficient completeness of outline to serve as a guide in the hands of the student This is especially true with respect to the matter treated in the earlier part of the book, viz., the introductory chapter upon *The Definition and Scope of Transportation* and in Part I on *The American Railway System*, comprising chapters on such themes as the origin, growth, mechanism, and technical development—in short, the material development of the railway. This part of the subject has been too often passed over by economic writers as belonging to the realm of the engineer, whereas the main points at least are prerequisite to a consideration of transportation as a quasi-public function.

Under the head of *The Railway Service* the author deals in successive chapters with the "freight," "passenger," "express" and "mail" services, the "organization" and "accounts and statistics of the railway service." This part of the work very greatly simplifies the subject, and brings together a fund of information not easily attainable. Nor is it simply a compilation of data; for, as in the case of the express service, *et passim*, after summarizing the principal arguments for and against the extension of the mail service so as to absorb the functions of the former, the author adds a suggestion of his own, the effect of which would be to divide the functions of the express company between the mail and the fast freight service.

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In dealing with railway competition and rate agreements Professor Johnson takes the broad ground that the service performed by railways is of "a *public nature*, and may be performed directly by the government or by means of an agent authorized by the State," and expediency shall determine which should be employed in any country. In either case "there must be *unity of action* extending over wide areas," a unity which must be secured, under private ownership, by a large measure of coöperation among the companies. Pooling, however, is not so necessary for this purpose as it formerly was. Moreover, it is desirable that nothing should "be done to quicken the process of consolidation," as "the public will doubtless be confronted with the territorial grouping of railroads quite as soon as it is able to cope with the problem of government regulation which that situation will present." It is by territorialization, indeed, that he expects ruinous competition to be eliminated. How the greater monopoly power thus accrued to the railway industry is to be controlled by the State he does not point out, choosing rather to let the problem be solved as the need arises, contenting himself with the statement that the railway is a "partial monopoly," not a "natural monopoly."

The author's standpoint might be described as representative of the conservative business interests of the country, coördinated, as far as possible, with that of the public in its demand for fair and efficient service. Neither those who would apply the principle of *laissez faire*, nor those, on the other hand, who advocate State ownership will find much sympathy with their views in these pages. It is a cautious, conscientious, painstaking attempt to state the main facts, to give analyses of the principles involved, and to arrange the whole in as systematic order as the subject permits. The success of the effort is attested by the wide acceptance which the work has already gained.

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William Pepper, M.D., L.L.D., Provost of the University of Pennsylvania. By FRANCIS NEWTON THORPE. Philadelphia: J. B. Lippincott Company. 1904. Pp. 555.

Biography is interesting. But when it deals with a great man and is written by an historian whose style possesses real literary merit it is uplifting as well as fascinating. Dr. Thorpe's biography of William Pepper is a handsome volume which portrays the great Provost of the University of Pennsylvania and the noble citizen of Philadelphia as those who knew the man might wish to have his life and character represented.

Men die: but institutions live. William Pepper is dead: but his genius still lives in the institutions which he founded or promoted. He was a noted physician and medical writer; he was a great educator; and he was a generous, active, progressive citizen. And so Dr. Thorpe divides his biography into Part I, *The Physician and Medical Writer*, Part II, *The Educator*, and Part III, *The Citizen.*

It is hard to believe that so much could be accomplished in a single life-time as was actually accomplished by Dr. Pepper. Action was indeed the soul of his life—it was his passion. He could not live without it. As a physician his practice was simply enormous. As a writer on scientific Medicine he produced scores of volumes. As an educator he transformed the ancient school of which he became Provost into a great University. As a citizen he successfully established the Free Public Library and the Museums of Philadelphia. But this does not tell half the story. It is not strange that his untimely end was the result of over-work.

Perhaps the most interesting part of the book is the third chapter which treats Dr. Pepper as a citizen. It is in the closing chapter of this part that the author refers to the preëminent success of Dr. Pepper in these words:

"Success never disturbed Dr. Pepper, but he made elaborate preparations against defeat. Here he was truly Napoleonic. No detail was too wearisome, no person to obscure if necessary to success. To the men who knew he gave closest attention. Herein lay the secret

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of his success. His instinct made human nature clear to him, and his tact taught him to let every man play his part. No characteristic of this extraordinary man was more prominent than his genius for treating enemies like friends. Seldom has a man been born into the world so free from jealousy, envy, hatred, or malice. So great was the universality of his genius that men were persuaded that he was strongest at whatever he undertook."

Dr. Thorpe has produced in this life of William Pepper a volume which will certainly be welcomed by hundreds of men who knew the man either as physician, teacher, or citizen.

BENJ. F. SHAMBAUGH
THE STATE UNIVERSITY OF IOWA
IOWA CITY

History of Early Steamboat Navigation on the Missouri River. By HIRAM MARTIN CHITTENDEN. New York: Francis P. Harper. 1903. Two Volumes. Pp. 461.

The Missouri river has had an interesting history. It was first entered by white men about 1700. When St. Louis was founded in 1764, it was already known for upwards of a thousand miles. When, in 1804–5, Lewis and Clark made their famous exploring trip to its head-waters, they found that white men had preceded them almost to the mouth of the Yellowstone.

"For a hundred years the history of the Missouri was the history of the country through which it passed." The only avenue of travel between the east and the northwest, this mighty river, the longest in the world, was the route of the fur-trader, explorer, hunter, gold-digger, Indian fighter, and settler alike. A variety of craft, among them the canoe, mackinaw, bullboat, keelboat, and lastly the steamboat, did service upon its waters. The first real navigation, however, was that of the "Keelboat Period," which was followed about 1830 by the "Steamboat Period."

The first steamboat to make a voyage to the far upper river was the "Yellowstone," which in 1831 reached Ft. Tecumseh, where Ft.

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Pierre, South Dakota, now stands. The following spring the same boat tied up at Ft. Union, near the mouth of the Yellowstone river. One boat could make one trip in a season; and for a few years not many made the attempt, but soon there came a rapid increase, the fur-trade having made navigation profitable. Certain great events or movements of our history gave added impetus for a period of years, now over one part of the river's course only, now over its entire course up to the very head of navigation. A few such movements were the Mormon migration in 1845, the Mexican War in 1846–8, the migration to California in 1849 and after, and government explorations beginning in 1855.

The profits of the traffic when at its best were large. In 1866 the "W. J. Lewis" made a profit of $40,000 for its owner, while the "Peter Balen" cleared up $65,000. Freight rates from St. Louis to Ft. Benton were twelve cents a pound. The fare of a cabin passenger was $300. A pilot often received as much as $1,200 per month, so valuable were his services. A boat going up stream carried everything from a needle to a steam engine, and returning brought down furs and gold.

The golden age of steamboat navigation, which came in 1855–60, was followed by a rapid decline. "The great enemy of the Missouri river steamboat was the railroad. The struggle lasted twenty-eight years—from 1859 when the Hannibal and St. Joseph reached St. Joseph, Mo., to 1887, when the Great Northern reached Helena, Mont." The steamboat was beaten in the contest and is gone, but the old Missouri still rolls on, performing each year with its ceaseless energy twice the work, if measured in mile-tons, of all the railroads of the United States combined.

But what of the future? Shall such enormous energy be wasted? Has the river's power for good passed away? An answer is hinted at in the concluding chapter where the author says: "Turn this river out upon the lands. Where the rains do not fall let it supply the need. Then the new and greater history of the Missouri river will begin. Utility will take the place of romance. The buffalo,

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the Indian, the steamboat, the gold-seeker, the soldier will be seen in its valley no more, but in their stead the culture and comfort, and the thousand blessings that come with civilization. Such, let us hope, in drawing the curtain over a mighty past, will be the consummation of a still more mighty future."

Mr. Chittenden's work is intensely interesting. Though it centers largely about the life of Joseph La Barge, one of the stalwart pilots and captains of the Missouri, the historical narrative is not injured thereby since his career "embraced the entire era of active boating business on the river." The author (who, by the way, is a resident of Iowa) is the Major commanding the Corps of Engineers, U. S. A., who have in charge the U. S. government improvements now being carried out on the Missouri river and in the Yellowstone National Park. He was well equipped for his work, and enjoying a wide acquaintance in the West was enabled to interview many survivors of the active steamboat period as well as to secure access to valuable sources. The work has already taken high rank as a distinctly valuable contribution to the growing body of literature upon the general subject of our western history.

F. H. Garver

Morningside College
Sioux City

Students' Outline for the History of the United States. By Arthur D. Cromwell. With an Introduction by Albert Bushnell Hart. Chicago: Ainsworth & Co. 1903. Pp. 127.

In the preface it is stated that "this outline has its origin in the demands of the author's own classes, the growing interest in the better teaching of history, the many requests from teachers for a work that will enable them to carry on the source or library method without a larger expenditure of time in preparation than they are able to give, and in the need of a work to enable academies, high schools, and normal schools to meet the requirements of the conference of American colleges which recommended as the minimum of American

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History for college entrance, 'at least one year's work by the library method with one or more topics by the source method.'"

The introduction by Albert Bushnell Hart, which did not appear as a part of the advance copy sent to THE IOWA JOURNAL but which has since been forwarded by the publishers, is in the nature of a review and justification of Professor Cromwell's method. Professor Hart's clear and concise language is worth quoting. He says, in part, that "the old-fashioned method of teaching and studying history was to have pupils memorize the words of the text-book and reproduce them as exactly as possible: it was supposed that thus they got permanent possession of a valuable body of facts. Professor Cromwell in this book aims to avoid this lifeless and routine method, first, by referring to materials outside a single text-book and thus encouraging a taste for historical reading. In the second place, this book recognizes another kind of material which may be made of great service in teaching sources. For a long time the original narratives and documents were practically out of the reach of school children, because contained in expensive and often rare books. Now, through the many series of collections and reprints, children may have access to sources simple enough for their understanding and live enough to interest them. Through his specific references Professor Cromwell makes it easy to refer to such sources as may profitably be used, without burdening a child with rarities or tedious narratives or public papers. The method of teaching set forth in this volume also tends to train the minds of children in analysis, which is perhaps the most important service of school life. . . . Another convenience of this book is that it lays stress on written work, which shall serve to make clearer and more direct the lessons of fact, by little studies of character and of tendencies."

FRANK E. HORACK

THE STATE UNIVERSITY OF IOWA
IOWA CITY

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Bulletin of Iowa State Institutions. Edited by the BOARD OF CONTROL. Published by the authority of the Legislature. Dubuque: 1903. Vol. V. Pp. 564.

An examination of the table of contents of each succeeding number and of the general index at the conclusion of this fifth volume shows that this publication contains not only a vast amount of information concerning the purpose and operation of the various institutions under the State Board of Control, but that it contains also a great assortment of papers on the scientific and clinical work of the medical staffs connected with the several institutions administered by the State Board.

Nor are the expert and scientific contributions limited to members of the official staff of the several institutions. Among the papers contributed by general students in no way connected with any of the said institutions may be mentioned the study by Dr. Frank I. Herriott on *Institutional Expenditures in the State Budgets of Iowa*, a paper on *The Indeterminate Sentence*, by Mr. Clarence Wassam in the third number of this volume, and another paper by Judge Horace E. Deemer on the same subject in the fourth number. A thoughtful paper of warning and suggestion by Mr. John Cownie on *Insurance of State Buildings and Prevention of Fires* in the first number deserves reading. The same number contains also a notable paper by Judge L. G. Kinne on *Methods of Improving the Management of Prisons.* This paper was prepared for the annual meeting of the National Prison Association which was held at Philadelphia in September, 1902; it contains many items of interest respecting existing conditions relative to the appointment of prison officials, salaries paid, and the degree of independence and professional spirit that is likely to prevail under the various systems of appointment and management. In the last number Judge G. S. Robinson contributes an explanation of what the State does for dependent, defective, and delinquent children through the several special State institutions established and maintained for their benefit.

It is impossible within the limits of space allotted to this notice to

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enumerate even by title the many excellent papers found in this volume. Each number in addition to special articles contains a report of the quarterly conference of the chief executive officers of the State institutions with the Board of Control.

Isaac A. Loos

The State University of Iowa
Iowa City

Documentary History of the Cession of Louisiana to the United States. By Rufus Blanchard. Chicago: R. Blanchard. 1903. Pp. 68.

Under the above title the author traces the negotiations which led up to the cession of Louisiana to the United States in a fairly accurate manner. He embodies several resolutions of Congress, some correspondence between Monroe and Jefferson, some between Livingston and Monroe, the treaty of cession between France and the United States, signed April 30, 1803, together with two conventions of the same date, in the story of the text.

The volume is substantially bound, and is illustrated with cuts of Jefferson, Bonaparte, Livingston, Monroe, Marbois, and Meriwether Lewis and William Clark of the exploring expedition of 1804–6. In the dedication, which is inscribed to Emile Loubet, President of France, the author signs himself, "Yours fraternally in behalf of the American people." Following the dedication are two cuts of a medal to "Commemorate the Triumph of American Independence—struck by the French Government, 1783." An appendix of some twenty pages contains a brief outline history of the acquisition of Oregon by the United States, also in briefer form an outline of all our other foreign acquisitions. The last two pages of the appendix give an account of the death of Meriwether Lewis, holding to the theory that he was murdered. The monument erected over his grave by the State of Tennessee is also shown.

Attached to the inside of the back cover is an excellent map,

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printed upon cloth (8 x 13 inches) "Illustrating the Territorial Growth of the United States."

F. H. GARVER

MORNINGSIDE COLLEGE
SIOUX CITY

Historic Highways of America. By ARCHER BUTLER HULBERT. Cleveland: The Arthur H. Clark Company. 1904. Vol. VIII. Military Roads of the Mississippi Basin. Pp. 237. Vol. X. The Cumberland Road. Pp. 207.

Volume eight of the *Historic Highways* series deals with the conquest of the Northwest through five of the early campaigns in the Mississippi Basin—"Clark's campaigns against Kaskaskia and Vincennes in 1778 and 1779; and Harmar's, St. Clair's, and Wayne's campaigns against the northwestern Indians in 1790, 1791, and 1793–94."

The study of Clark's campaign is taken up with a view to determining the route and identifying the various camping places of the army, with no attempt to give the military events of the march; while the author's account of the other campaigns includes not only the military routes but a sketch of each of the campaigns that helped to free the United States from the dangers of Indian hostility. In each case the authority given is that of the Draper manuscripts preserved in the library of the State Historical Society of Wisconsin. The volume contains two maps, one a sketch of the Wabash in 1768, showing the trace of the path to Kaskaskia, the other giving the region in which Wilkinson, Scott, Hamar, St. Clair, and Wayne operated.

Volume eight was not published until after the appearance of the tenth volume, which is devoted to a study of the building and operation of our first national road, known as the Cumberland Road from the wording of the act which insured its construction. The act originally provided for the laying out of a road from Cumberland, on the Potomac, to a point on the Ohio river, and as the author indicates,

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"when the road was built to Wheeling its greatest mission was accomplished—the portage path across the mountains was completed to a point where river navigation was almost always available." Later, however, was passed the act of 1825, authorizing the extension of the road into the State of Ohio, and work was immediately begun. The road crossed the State in a line due west through Zanesville and Columbus, and was finally carried on through Indiana and Illinois.

On several occasions the existence of the Cumberland Road was threatened by extinction; once because of the prolonged debate as to the constitutionality of government laws providing for its repair, and again when it was proposed to substitute for a highway a railroad west of Columbus. The question of constitutionality was settled by having repairs made by the individual States through which the road passed, and the proposed railway bill never went into effect. The bill for the last appropriation for the road was dated 1838, more than thirty years after the passage of the act originally providing for its construction.

Among the most interesting chapters in the book are those on the control of the road—with the account of the toll systems so familiar to an earlier generation, so little known to the generation of the present day—and on the life along and on the national highway in the days when stage coaches, mail coaches, and the wayside taverns were the "best gauge to measure the current of business that ebbed and flowed."

MARGARET BUDINGTON

THE STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY

Transactions of the Illinois State Historical Society for the Year 1903. Fourth Annual Meeting of the Society, Springfield, January 27 and 28, 1903. Being Publication No. 8 of the Illinois State Historical Library. Springfield, Ill: Phillips Bros., State Printers. 1904. Pp. 376.

This publication is of especial interest to students of the history of the Middle West. The first half of the volume contains the proceed-

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ings of the fourth annual meeting of the Illinois State Historical Society, including the following addresses: Annual address, *The Constitutional Conventions and Constitutions of Illinois*, by Hon. Adlai E. Stevenson; *The Mines of Jo Daviess County*, by Hon. William Spensley; *Old Ft. Massac*, by Mrs. M. T. Scott; *Men and Manners of the Early Days in Illinois*, by Dr. A. W. French; *Sectional Forces in the History of Illinois*, by Evarts B. Greene; *Decisive Events in the Building of Illinois*, by Hon. William H. Collins; *Edward Coles, Second Governor of Illinois*, by Mrs. S. P. Wheeler; *Fort de Chartres, Its Origin, Growth and Decline*, by Joseph Wallace; and *A Few Notes for an Industrial History of Illinois*, by Ethelbert Stewart.

The second part of the volume is devoted to papers contributed to the Illinois State Historical Society in 1903. Many of these contributions are very carefully prepared and of historical importance. They show the unique position of Illinois in American history as successively under the jurisdiction of France, England, Virginia, the North West Territory, the Territory of Indiana, the Territory of Illinois, and finally the Commonwealth of Illinois.

Among the most important of the contributed papers are: the *Prairie du Rocher Church Records*, which are translated by Rev. C. J. Eschmann and contain records kept by the parish priest in 1743; *Travel in Illinois in 1819*, by Ferdinand Ernst (now translated from the German for the first time by Professor E. P. Baker); and *Local Incidents in the Career of Abraham Lincoln*, which adds numerous interesting facts to the already profuse literature concerning the life and character of Abraham Lincoln from 1832 to 1858.

The report of the committee on Historic Places in Illinois and the action of the Society of the D. A. R. in relation to the purchase by the State of the site of old Ft. Massac show a healthful growth of the historic spirit to preserve the old landmarks while there is yet time. The address on *Old Ft. Massac*, which was contributed by Mrs. M. L. Scott at the annual meeting, is thoroughly scientific in treatment. The address by Dr. Evarts B. Greene on *Sectional Forces in the His-*

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tory of Illinois is interesting, and should be enlarged upon. The contribution by Ethelbert Stewart entitled *A Few Notes for an Industrial History of Illinois* is a very short but suggestive address, and the reader regrets that Mr. Stewart did not enlarge upon the theme of the activities of the early traders in Illinois.

In all, the Illinois Historical Society is to be congratulated upon this volume; and it is to be hoped that their good work will be recognized by the State of Illinois and the Society given adequate support to enable it to carry out its plans for the better preservation of the history of Illinois.

FRANK E. HORACK

THE STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY

Proceedings of the Iowa Academy of Sciences for 1902. Vol. X. Edited by the Secretary. Published by the State. Des Moines: B. Murphy, State Printer. 1903. Pp. 178. Plates xxxiv.

The above is the title to the last volume put forth by the Iowa Academy of Sciences; and although of less size than the usual annual volume issued of late years, the contents, nevertheless, indicate papers of practical value or of scientific interest fully equal to those of preceding volumes.

The papers included in the present volume are: *William Miller Beardshear* (necrology), by L. H. Pammel; *Some Problems of Heredity and Evolution* (presidential address), by H. E. Summers; *Living Plants as Geological Factors*, by B. Shimek; *Some Observations upon the Action of Coherers when Subjected to Direct Electromotive Force*, by Frank F. Almy; *The Accretion of Flood Plains by Means of Sand Bars*, by Howard E. Simpson; *Some Ecological Notes on the Vegetation of the Uintah Mountains*, by L. H. Pammel; *The Membrane Bones in the Skull of a Young Amphiuma*, by H. W. Norris; *The Solar Surface During the Past Twelve Years*—a review of sun-spot observations made at Alta, Iowa, from 1890 to 1902—by David E. Hadden; *The Duck Hawk* (*Falco peregrinus*

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anatum) *in Iowa*, by B. H. Bailey; *Significance of the Occurrence of Minute Quantities of Metaliferous Minerals in Rocks*, by Charles R. Keyes; *Genesis of Certain Cherts*, by Charles R. Keyes; *Comparative Values of Different Methods of Geologic Correlation in the Mississippi Basin*, by Charles R. Keyes; *The Chemical Composition of Nuts Used as Food*, by J. W. Weems and Alice W. Hess; *The Preparation of Ammonia Free Water for Water Analysis*, by J. B. Weems, C. E. Gray and E. C. Myers; *The Preparation of Phenyl Ether*, by Alfred N. Cook; *The Sioux City Water Supply* (II), by Alfred N. Cook and W. J. Morgan; *The Toledo Lobe of Iowan Drift*, by T. E. Savage; *A Possible Origin for the Lignites of North Dakota*, by Frank A. Wilder; and *The Scrophulariaceæ of Iowa*, by T. J. and M. F. L. Fitzpatrick.

By an arrangement between the Academy and State Printer a portion of the edition is printed on enameled paper and bound in cloth, the covers having beveled edges. These features along with the large type used present an elegant and well illustrated volume.

The volume before us is the thirteenth separate publication issued by the present Iowa Academy of Sciences and the fifteenth publication since the organization of the first Academy.

T. J. FITZPATRICK

ESTHERVILLE, IOWA

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NOTES AND COMMENT

A four page pamphlet relative to the organization and purposes of the Iowa Anthropological Association has recently been issued.

In accordance with the recent action of the Executive Council of the American Historical Association plans are being matured for a special session and conference, at the 1904 meeting of the Association, to be devoted to the interests of State and local historical societies.

The third annual meeting of the Iowa Park and Forestry Association was held in Des Moines, December 7 and 8, 1903. A volume containing the *Proceedings* of the meeting is now in press.

Dr. J. A. James, Professor of History in Northwestern University, Evanston, Illinois, will give a course of lectures on the *Diplomatic Relations Between France and the United States During the Period of the French Revolution* at Johns Hopkins University, Baltimore, in the spring of 1905.

Those having charge of the Grinnell Semi-centennial have decided to change the date of the celebration from May 18 to June 10, 1904. This change will accommodate all those who desire to attend the commencement exercises of Iowa College as well as the Semi-centennial. The Semi-centennial celebration will, indeed, inaugurate the commencement exercises of the college.

Dr. Frank I. Herriott of Drake University has enlarged the paper which he read before the Iowa State Conference of Charities and Corrections in November, 1903, and it appears in part in the January, 1904, *Bulletin of Iowa State Institutions*. It will be continued in the April issue of the *Bulletin*.

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An address on *Civilization and the Law*, which was delivered by Judge Emlin McClain before the Kentucky State Bar Association, July 2, 1903, appears in the *Proceedings of the Kentucky State Bar Association* and is reprinted in separate pamphlet form.

The *Annals of Iowa* for January, 1904, edited by Hon. Charles Aldrich of Des Moines, contains the following interesting articles: *Last Battle of the Red River Campaign*, by William G. Donnan; *Iowa in the Territory of Missouri*, by Rev. Dr. William Salter; *Frontier Church Going—1837*, by George C. Duffield; *Vital Statistics*, by Dr. Josiah F. Kennedy; *An Iowa Pioneer*, by a Sister of Santa Clara College, Wis.; *John Plumbe, Originator of the Pacific Railroad*, by Hon. John King; and *Block Houses in the Civil War*, by Maj. Gen. G. M. Dodge.

Professor W. C. Wilcox, member of the Board of Curators of the State Historical Society of Iowa, has delivered the following lectures and addresses since January 1, 1904: January 8, Muscatine, Iowa, *The War of 1812;* January 22, Muscatine, Iowa, *The Crisis in the Inevitable Conflict;* January 29, Muscatine, Iowa, *The Eastern Question;* March 4, Eldora, Iowa, *Napoleon Bonaparte;* March 7, Iowa City High School, *The Forces Which Make for Peace;* March 11, Iowa City Academy, *Why we Sympathize with the Japanese;* March 12, State Agricultural College, Ames, Iowa, *The Practical Value of the Study of History;* March 13, State Agricultural College, Ames, Iowa, *The Historical Foundation of the Christian Faith;* March 25, Cedar Rapids, Iowa, *American History and the Public Library.*

Facts and Fictions Concerning Educational Values is the subject of a paper by Professor Frederick E. Bolton recently published by the State University of Iowa as a reprint from the *School Review.*

A rather elaborate bill was introduced into the Iowa legislature by the Iowa Health Officers Association, which provides for the "collection and compilation of vital statistics and the supervision of local boards of health."

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On the evening of February 6, 1904, Mr. Peter A. Dey, President of the State Historical Society of Iowa, delivered an address at the home of Professor Benj. F. Shambaugh in Iowa City, Iowa, on *The Capitol of Iowa.* Mr. Dey was one of the three Capitol Commissioners.

Professor Isaac A. Loos, member of the Board of Curators of the State Historical Society of Iowa, delivered at Cedar Rapids, Iowa, a course of six lectures on *The Industrial Revolution* as follows: January 11, 1904, *The Essential Facts;* January 18, 1904, *The Early Interpreters;* January 25, 1904, *The Epoch of Reform;* February 1, 1904, *The Coöperative Movement;* February 8, 1904, *Recent Social Legislation;* and February 15, 1904, *The Trust Problem.*

Volume five of the *Publications of the State Historical Society of Montana* is to be a Lewis and Clark memorial volume, containing the Lewis and Clark journal of the expedition as it passed through Montana, accompanied by illustrations and reproductions of letters. In addition, the volume will contain a great deal of material concerning pioneer days in Montana together with the proceedings of the constitutional conventions of 1866, 1884, and 1889.

The *Annals* of the American Academy of Political and Social Science for January, 1904, is devoted to *Tariff Problems.* Dr. J. E. Connor contributes an article on *Industrial Changes that have Influenced American Tariff Policy since the Civil War;* and Mr. T. W. Mitchell writes on *The Development of Mr. Chamberlain's Fiscal Policy.* The March *Annals* contains articles on *Municipal Problems;* while for May the subject of *Charities and Corrections* has been announced.

Indian Corn in Argentina is the title of a highly interesting and valuable pamphlet by Mr. Frank W. Bicknell, special agent of the U. S. Department of Agriculture. Mr. Bicknell's contribution appears as Report No. 75 of the Department with which he is connected.

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Mr. A. N. Harbert, a member of the State Historical Society of of Iowa and an enthusiastic collector of materials relating to Iowa history, will soon remove from Shellsburg to Cedar Rapids, Iowa.

The annual meeting of the Iowa Library Association for 1904 will be held at St. Louis in the month of October at the time of the meeting of the American Library Association.

For the best essay on some phase of the early history of Iowa, written by an undergraduate of an Iowa university or college, the Iowa Society of the Colonial Dames of America offer a prize of fifty dollars. Heretofore the prize has been twenty-five dollars. The essays are due May 1, 1904.

Dr. Paul S. Peirce, instructor in history at the State University of Iowa, is the author of a monograph on *The Freedman's Bureau* which has recently been published by the State University of Iowa.

The Twenty-sixth Annual Meeting of the Nebraska State Historical Society was held at Lincoln, January 12 and 13, 1904.

In the list of editors as printed in the March number of the *Harvard Law Review* appears the name of H. Claude Horack. Mr. Horack is a graduate of both the College of Liberal Arts and the College of Law of the State University of Iowa. For several years he was Librarian for the Law College of the State University of Iowa, and for a short time acted as Custodian for the State Historical Society of Iowa.

The Iowa Library Commission announces that the fourth annual session of the Iowa Summer School for Library Training will be held at the State University at Iowa City, June 18 to July 30, 1904. As in former sessions, the instruction in classifying and cataloguing will be given by Miss Esther Crawford of the Public Library, Cleveland, O., and the special course in Library Work with Children will be given by Miss Annie Carroll Moore, Children's Librarian, Pratt Institute Library, Brooklyn, N. Y. Miss Alice S. Tyler, Secretary of Iowa Library Commission, will act as Director.

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The *Year Book* (No. 2) of the Carnegie Institution of Washington appeared in January, 1904. It contains 311 pages of information concerning the work of this unique institution for the year 1903.

The *Bulletin* of the American Geographical Society, formerly issued five times a year, will henceforth appear as a monthly publication of 64 pages. The January number has recently been issued, and it is announced that the numbers for February, March, and April will be published in quick succession and that the publication will become regular in the early Summer.

The *Twelfth Annual Report* of the Associated Charities of Des Moines, Iowa, appears as a booklet of thirty-one pages. It contains the report of the General Secretary, Mr. John Beardsley, which is an admirable account of the charities work for the year beginning April 15, 1902, and ending April 20, 1903. This is followed by a detailed financial statement. A new and valuable feature of the publication is a directory of the charitable institutions of Des Moines.

In response to an inquiry from the Editor of the *Hand Book to Learned Societies* (which is being compiled and published by the Carnegie Institution at Washington, D. C.) for information relative to the Hawkeye Pioneer Association of Des Moines County, the Secretary of the State Historical Society of Iowa wrote to Dr. William Salter, the venerable pastor of the Congregational Church of Burlington, Iowa. Dr. Salter's reply was as follows: "The Hawkeye Pioneer Association of Des Moines County had a number of meetings annually after its great festival in 1858, and the proceedings were reported in the newspapers here but not put in a pamphlet. After John Patterson, Dr. Beardsley, and other old timers were gone, the Association lapsed. A revival was attempted in 1880–1, and a reorganization effected with the late E. C. Blackmar as Secretary, who got out a pamphlet in March, 1882. But the historical spirit has declined and hardly a 'wee bit' survives in this century that cares more for present shows than past glories. Judge Mason's address in 1858 is a classic."

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Ginn & Co. have announced a new and revised edition of Macy's *Iowa Government.* Professor Macy's little book has always been regarded as one of the very best of the several text books on the government of the State of Iowa. It is, moreover, fortunate that the task of revision has been performed by so able a student and teacher of civics as Professor Karl F. Geiser of the Iowa State Normal School.

At the Fourth Annual Library Day of the Free Public Library of Cedar Rapids, which was held on March 25, 1904, the general theme was *Local History.* The librarian made a special request for donations of books and pamphlets relating to the city and State, thus emphasizing the historical function of the public library, which is to collect and preserve the materials of local history.

An interesting and suggestive essay has recently appeared from the press of the *Register and Leader* at Des Moines, Iowa, on *The Corporation Problem and the Doctrine of the Law of Shares*, by Dr. Andrew Amos of Des Moines. The author sees the present corporate abuses, the whole trust problem, the struggle between labor and capital as the result of the adoption of the doctrine of the law of shares in corporate management. The doctrine of the law of shares gives to each share of stock one vote, which makes a man with a thousand shares equal to a thousand men with one share each. Thus one man with a majority of shares can dictate the policy of a corporation composed of thousands of other men. The author points out that in municipal corporations each individual entitled to vote has but one vote and that the majority rule. By a series of well selected cases he shows that majority rule was formerly the practice in business as well as in municipal corporations; that, indeed, it was the common law. He maintains that the departure from this principle of democracy in the industrial world is not only responsible for the evils of our present industrial system, but voting by shares is entirely out of harmony with our political institutions and is in reality illegal. The booklet is well worth reading though it may be doubted if a return to the majority rule in corporate affairs would work the universal cure-all which the author seems to claim for it.

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The League of Iowa Municipalities introduced into the Thirtieth General Assembly of Iowa a number of bills, most of which are in the interest of the smaller cities and towns. Until the formation of the League, the interests of the smaller municipalities received little or no consideration because they had no adequate means of presenting their needs to the legislature. Only the large cities were in a position heretofore to send delegations to Des Moines to see that the laws they needed were passed. No single small municipality could go to this expense; but the League is able to do this for them.

A bronze tablet with the following inscription will be placed in the Iowa College for the Blind at Vinton sometime during the year:

CAPTAIN THOMAS DRUMMOND
FIFTH CAVALRY U. S. ARMY
BORN IN BROOKS CO., VIRGINIA, MAY 9, 1832
EDITED THE VINTON EAGLE 1857–60
MEMBER IOWA HOUSE OF REPRESENTATIVES 1858
STATE SENATOR 1860
HE SECURED THE ESTABLISHMENT OF THIS COLLEGE
WOUNDED AT THE BATTLE OF FIVE FORKS
APRIL 1, 1865
AND DIED THE FOLLOWING DAY

Mr. Drummond distinguished himself as a member of the General Assembly, and by his efforts he succeeded in locating the College for the Blind at Vinton. He was the first soldier to enlist in the Civil War from Benton county.

The following papers have been read before the Iowa Political Science Club:—December 21, 1903, *Lawyers and their Training*, by Dean Charles Noble Gregory; January 18, 1904, *The Present Status of Political Science*, by Professor Benj. F. Shambaugh; February 1, 1904, *The Equipment of a Modern University Library*, by Professor H. G. Plum; February 15, 1904, *Imitation*, by Professor F. E. Bolton; February 29, 1904, *Compulsory Insurance in Germany*, by Professor Isaac A. Loos; March 14, 1904, *The Measurement of Individual Differences in Hearing*, by Professor C. E. Seashore.

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G. P. Putnam's Sons announce a history of *The Republican Party*, in two volumes, by Mr. Francis Curtis.

The *Quarterly of the Iowa Library Commission* for January, 1904, contains an article on *The Work of the State Historical Society of Iowa* which is in substance the address delivered by Professor Benj. F. Shambaugh at the Marshalltown meeting of the Iowa Library Association on October 7, 1903.

The Iowa Alumnus is the title of a new periodical published at the State University of Iowa. For sometime there has been a demand for an organ for the alumni; and it is safe to say that *The Iowa Alumnus* adequately meets this demand. It is published by Messrs. M. L. Ferson and H. G. Plum. Mr. J. W. Rich is editor-in-chief, Mrs. Kate B. Rogers, alumni editor, and Mr. John G. Bowman, university editor. Mr. M. L. Ferson is business manager and is assisted by Mr. L. W. Dutcher.

A unique course of six university extension lectures has been offered recently through the American Society for the Extension of University Teaching at Philadelphia on *History and the Historical Novel*, by Dr. Francis Newton Thorpe. The titles of the several lectures are as follows: (1) *History and the Novel as Literature;* (2) *The Novel of Colonial America;* (3) *The Novel of the Revolution;* (4) *The Novel of the Frontier;* (5) *The Novel of the Civil War and Reconstruction;* (6) *The Novel of Our Own Times.*

On January 4, 1904, a fire broke out in the Capitol at Des Moines, Iowa. Considerable damage was done to the north half of the building. When the Thirtieth General Assembly met in January, 1904, the hall of representatives could not be occupied; and so the General Assembly adjourned until January 26, during which adjournment the damaged rooms were put into condition for temporary occupation. The fire seems to have done no damage to the documents and archives of the State. But the threatened destruction of this invaluable store of historical material has called attention to the fact that the only certain preservation of the archives is their publication.

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The Bureau of Historical Research of the Carnegie Institution of Washington issued, in December, 1903, a *A Guide to the Archives of the Government of the United States in Washington* which was prepared by Claude Halstead van Tyne and Waldo Gifford Leland. This guide, which is published as No. 1 of the *Papers of the Bureau of Historical Research*, relates solely to the archives in the Department of State.

From April, 1903, to April, 1904, the following addresses were delivered before the Grant Club, Des Moines, Iowa:—April 27, 1903, *Grant—His Last Triumph*, by Mr. Chas. F. Reavis, *Grant's Life as a Peace Lesson*, by Mr. Clark Howell, and *Grant—The Commander*, by Mr. Chas. E. Pickett; May 19, 1903, *Henry Clay*, by Mr. John F. Lacey and Mr. Harry Noland; November 19, 1903, *The Tariff*, by Mr. M. L. Temple; December 12, 1903, *Science and Industry*, by Mr. A. B. Storms; January 21, 1904, *The Joseph Chamberlain Tariff Policy and its Effect Upon the United States*, by Mr. J. G. Berryhill; February 18, 1904, *Iowa's Early Political History*, by Mr. Benj. F. Shambaugh; and March 17, 1904, *Measures or the Man*, by Mr. John Herriott.

George Barrie and Sons, of Philadelphia, announce a comprehensive history of North America which is to appear in twenty volumes under the editorship of Professor Guy Carleton Lee of Johns Hopkins University. The work is announced as *The First Definitive Authoritative and Inclusive Narrative History of North America—non-sectional, non-partisan, non-sectarian.* The editor-in-chief, Professor Lee, is assisted by a staff of twenty editors whose names are given in the announcement. The names of forty-two persons are also given as members of an "Editorial Board." A "Board of Advisors on Exclusion and Inclusion" contains forty-two names of persons who are for the most part presidents of universities throughout the United States. Then there is a "Board of Advisors on Colonial Affairs," and a "Board of Military and Naval Advisors." The work is certainly outlined on a very comprehensive scale.

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A volume on *Iowa the First Free State of the Louisiana Purchase* is expected from Dr. William Salter of Burlington, Iowa, in the near future.

Jurisdiction Over Foreign Ships in Territorial Waters is the subject of a pamphlet which appears as a reprint from No. 5, Volume II, of the *Michigan Law Review*. The author of this pamphlet is Dean Charles Noble Gregory of the Law College of the State University of Iowa, who, in September, 1903, read a paper on the same subject before the International Law Association at Antwerp.

THE SIOUX CITY SEMI-CENTENNIAL

There is a movement on foot looking toward the celebration of the semi-centennial anniversary of the settlement of Sioux City, Iowa. The movement was inaugurated by Professor F. H. Garver who in January, 1904, addressed postal cards to about fifty prominent citizens calling attention therein to the fact that it was in 1854 that the first attempt was made to plat a town on the present site of Sioux City. His suggestion that a semi-centennial celebration be arranged for met with general and enthusiastic approval.

And so in a paper on *Local History* which was read before the Sioux City Academy of Science and Letters, January 19, 1904, Professor Garver recommended that such a celebration be held. After some discussion the Academy passed a resolution calling upon the mayor of the city to appoint a committee to investigate the matter thoroughly and report later to a mass meeting of citizens a time and plan for the proposed celebration.

In compliance with this request of the Sioux City Academy of Science and Letters, Mayor Caldwell has already appointed a committee for the purpose of investigating the advisability and setting the time of holding a semi-centennial celebration in Sioux City. The committee as named by the Mayor comprises George W. Wakefield, representing the Library Trustees; C. R. Marks, representing the Floyd Memorial Association; Prof. F. H. Garver, representing the Sioux City Academy of Science and Letters; Capt. T. C. Prescott,

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representing the city administration and the Roard of School Directors, and C. A. Knapp, president of the Commercial Club.

BENJ. F. SHAMBAUGH

THE ASSOCIATED CHARITIES OF SIOUX CITY

In January, 1903, Rev. J. D. C. Powers, in his annual address as president of the Humane Society, called attention to the need of an organization of the charities of Sioux City for better coöperation in their work. A committee was appointed to consider the proposal. The committee held a number of meetings and took some preliminary steps for the creation of the Society.

Early in November a new impulse was given to the movement by the attendance of a number of persons from Sioux City at the meetings of the State Conference of Charities and Corrections at Des Moines. On their return a meeting, called by the Humane Society, brought together representatives of every organization doing work in the city.

The meeting was held Friday afternoon, November 27, 1903, at the rooms of the Y. M. C. A. There was a large attendance and great unanimity was shown. The meeting voted unanimously in favor of the organization of an associated charities. A committee was appointed to draft a constitution and to nominate a board of directors.

Organization was completed on December 14, 1903, by the adoption of a constitution and the election of a board of directors. The constitution is patterned after that of the Associated Charities of St. Paul. It states that "the general purpose and plan of operation shall be to promote the coöperation of the several public and private charitable agencies of Sioux City; to establish a central registration office with the record of the charitable work of all said agencies for their use and benefit; to coöperate with said charitable agencies in such investigations as they may desire, or as may be necessary to make accurate and complete records, and to promote the general welfare of the poor by means of friendly visitors; to promote plans for the

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encouragement of small savings and any other agencies for the development of a spirit of independence and self-help; to inform the public in regard to the general work of the charitable organizations of Sioux City; to exchange information with other like organizations throughout the country, all without interference with the management of any existing charitable organizations and without administering relief from its own treasury."

Considerable discussion was provoked by the last clause of the article just quoted. It was finally adopted after it had been made clear that to grant relief directly from its own treasury was contrary to the fundamental principles of its work. Such relief properly comes from the funds of other charitable societies, established to minister to special needs. Only in emergencies should the funds come from the organizing society itself.

The officers elected were: T. Arthur Thompson, President; Rev. Ralph P. Smith and Dr. Agnes Eichelberger, Vice-presidents; Mrs. H. I. Brown, Secretary; and D. E. Kerby, Treasurer. The remaining members of the Board of Directors were: Mrs. T. S. Ingersoll, Mrs. J. M. Cohen, A. L. Galinsky, Mrs. J. Schulein, A. Van Wagenen, S. P. Marsh, Rabbi Eugene Mannheimer, Dr. P. B. McLaughlin, Rev. J. L. Kerby, Rev. J. F. Watts, Rev. Dr. F. Newhall White, W. P. Manley, Professor F. E. Haynes, Rev. O. W. Ferm, Rev. S. L. Chandler, Rev. J. D. O. Powers, E. E. Stephenson, Prof. J. G. Hobson, and N. Tiedeman. The Board of Directors consists of twenty-five members, eight to be elected each year. An Executive Committee of five members, in addition to the officers, will act during the intervals between the monthly meetings of the directors. The Executive Committee consists of W. P. Manley, Rev. F. Newhall White, Rev. J. L. Kerby, Mr. E. E. Stephenson and Professor F. E. Haynes.

Early in February the actual work of the Society began with the arrival of the new General Secretary, Miss Charlotte Goff. Miss Goff was for a number of years Secretary of the Associated Charities of Des Moines, and has lately been Assistant Secretary of the Associ-

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ated Charities of Washington, D. C. She comes very highly recommended, and Sioux City is looking forward to the accomplishment of the long needed reform in its public and private philanthropic work.

F. E. HAYNES

A BUREAU OF HISTORICAL RESEARCH

The editor of THE JOURNAL has asked me to write a few words concerning the work and purposes of the Bureau of Historical Research which has been established at Washington in connection with the Carnegie Institution. In meeting this request it may be well to say first a word about the Institution itself. The reader will doubtless remember that it was established two years ago—January, 1902—by Mr. Carnegie, who gave a liberal sum for its maintenance. The administration of the fund and the execution of the purposes of the trust were confided to a board of twenty-six trustees, of whom the President of the United States, the President of the Senate, and the Speaker of the House were to be members. The purpose of this grant was not to establish a college or university in any ordinary sense, but to promote original research, "to discover the exceptional man in every department of study, whenever and wherever found, inside or outside of schools, and enable him to make the work for which he seems specially designed his life work," and in other ways to promote investigation and scholarship.

The trustees appointed advisory committees of experts, asking from them recommendations as to the steps to be taken for the best promotion of work in their respective fields. The advisory committee on history reported among other things the advisability of establishing an institute of historical research at Washington, not dissimilar to the French, Prussian, and Austrian institutes at Rome. The purpose of this institute would be to prepare first a report on the government archives, to edit for publication certain selected portions of the archives, to serve as a clearing house for the historical scholars in America and to facilitate their researches in Washington, and, lastly, to provide suitable guidance and instruction for such advanced and highly competent graduate students as should re-

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sort to it for that purpose. Partly to carry out these and other recommendations there has been established at Washington a Bureau of Historical Research. It is now difficult to say exactly what this may develop into or what its growth will be. As to this no one can say, because in some ways the Institution is as yet not fully determined in all respects as to its policy and line of growth; it is now doing a great work in aiding research, but in some particulars its methods and plans are being allowed to develop as needs disclose themselves. The bureau has already proved of some service to historical investigators who have come to Washington for study. While the director of the bureau cannot know the archives thoroughly — as indeed no one can — he can generally give some suggestion as to method of work. The director is also managing editor of the *American Historical Review*, and gives a portion of his time to his editorial duties. The personal connection between the *Review* and the Institution is helpful to the work of each.

In the future it is likely that advanced students and investigators will come more and more frequently to Washington, and the bureau should form a center where historical scholars can gather and from which they can get at least the aid that comes from association with other investigators. It seems as if every student of American history, every investigator who expects to teach should spend a portion of his time in Washington that he may know the government and have some knowledge of the collections of historical material. The bureau should be of service to those that come.

At present the activities are chiefly these:—It has in preparation a comprehensive guide to the archives of the government, which will be printed in the course of the next few months. This guide will not pretend to give detailed information of the millions of individual documents, but will describe collections the work of departments, and divisions of the government, and the nature and accessibility of their archives. Under the direction of the bureau a somewhat similar guide to American historical material in England is being prepared. To it will be added a list of papers in the British archives

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that refer to American history and that are now to be found in print and also a list of such material now present in American libraries in the form of transcripts. This volume, it is hoped, will appear before the end of this year. There is likewise in preparation a bibliography of books and and articles on American history for the year 1903. This list when completed and annotated will form a substantial volume; and it is hoped that the work can be carried on in the future, thus giving to historical investigators an exhaustive bibliography of each succeeding year.

In conclusion it may be said that the bureau is established with the purpose of being of use to scholars. Anything that can be done to bring the investigator and his material together is within the purview of its hopes even if beyond the possibility of present achievement.

A. C. McLaughlin

THE IOWA ACADEMY OF SCIENCES

The Iowa Academy of Sciences was organized August 27, 1875, at Iowa City, Iowa. The constitution then adopted limited the membership to thirty fellows. The published proceedings show a list of twenty-four. The only publications issued by this Academy were two pamphlets of twenty-eight and twelve pages as listed in this article. According to the published proceedings one preliminary, a first, five annual, and three semi-annual meetings were held. The preliminary and the five annual meetings were held at Iowa City, August 27, 1875, June 23, 1876, May 3, 1877, May 23, 1878, October 9, 1879, and June 24, 1880, respectively. The first meeting occurred at Des Moines, January 25, 1876. The first and second semi-annual meetings were held at Ames, October 6, 1876 and September 26, 1877. The third semi-annual meeting was held at Grinnell, October 18, 1878. Later meetings were held, but there appears to be no published records. The society died from lapse of membership after 1884 in which year it is stated was held the last meeting.

The present Iowa Academy of Sciences, which is a lineal descendant of the old one, was organized on Tuesday, December 27, 1887, in

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response to a circular letter sent out by a committee consisting of Professors S. Calvin, T. H. McBride, L. W. Andrews, Herbert Osborn, and R. E. Call. In pursuance to this call the following named persons, J. E. Todd, B. D. Halsted, F. M. Witter, H. W. Parker, R. E. Call, L. W. Andrews, and Herbert Osborn, met in the parlors of the Kirkwood House in Des Moines and perfected an organization which work, together with the papers presented, constituted the first annual session of the Academy. The second annual session was held at Des Moines, September 5, 1888; the third annual session was held at the same place September 5, 1889. The fourth annual meeting was held September 5, 1890. During 1891 two sessions were held, January 1 and September 3, and they may be reckoned as making up the fifth annual session. The sixth annual meeting was held December 29 and 30, 1891. The seventh annual session was held at Cedar Rapids, in the high school building, December 27 and 28, 1892. The eighth annual session was held at Des Moines, December 26 and 27, 1893. The ninth annual meeting was held at the Y. M. C. A. building at Des Moines, December 27 and 28, 1894. The tenth annual meeting was held in the horticultural rooms at the Capitol building in Des Moines, January 1, 2 and 3, 1896. The eleventh annual session was held in committee room number one of the Capitol building in Des Moines, December 29 and 30, 1896. The twelfth annual session was held in the geological rooms of the Capitol building at Des Moines, December 28 and 29, 1897. The thirteenth annual session was held at the same place as the preceding, December 27 and 28, 1898. The fourteenth annual session was held in the State horticultural rooms in the Capitol building at Des Moines, December 26, 27 and 28, 1899. The fifteenth annual session was held in the rooms of the Iowa Geological Survey in the Capitol building at Des Moines, December 26 and 27, 1900, where the sixteenth annual session, December 26 and 27, 1901, and the seventeenth annual session, December 30 and 31, 1902, were also held. No annual session was held during the year 1903, but a business session was held December 7 in the rooms of the Iowa Geological Survey.

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The present roll of membership numbers one hundred fifty-four and includes the leading scientists of the State. There are sixty-three fellows, thirty-nine associate members, and fifty-two corresponding members. The publications of the Iowa Academy of Sciences are as follows:

Of the Old Academy

(1) Proceedings of the Iowa Academy of Sciences, 1875–1880. Iowa City. Printed by John P. Irish, 1880. Pamphlet, pp. 28, issued by the Society.

(2) Proceedings of the Iowa Academy of Sciences. Supplement to volume I, part 1. Iowa City. Published by the Academy, 1882. Pamphlet, pp. 12.

Of the Present Academy

(3) Proceedings of the Iowa Academy of Sciences for 1887, 1888, 1889. Des Moines, Iowa, January, 1890. Pp. 101. Issued by the Society.

(4) Proceedings of the Iowa Academy of Sciences for 1890–91, volume I, part 2, 1892. Pp. 134. Issued by the State, separately or as an appendix to the report of the State Horticultural Society for 1891.

(5) Proceedings of the Iowa Academy of Sciences for 1892, volume I, part 3, 1893. Pp. 113. Issued by the State, separately or as an appendix to the report of the State Horticultural Society for 1892.

(6) Proceedings of the Iowa Academy of Sciences for 1893, volume I, part 4, 1894. Pp. 142. Issued by the State as are all the subsequent volumes.

(7) Proceedings of the Iowa Academy of Sciences for 1894, volume II, 1895. Pp. 225.

(8) Proceedings of the Iowa Academy of Sciences for 1895, volume III, 1896. Pp. 230.

(9) Proceedings of the Iowa Academy of Sciences for 1896, volume IV, 1897. Pp. 242.

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(10) Proceedings of the Iowa Academy of Sciences for 1897, volume V. 1898. Pp. 248.

(11) Proceedings of the Iowa Academy of Sciences for 1898, volume VI. 1899. Pp. 234.

(12) Proceedings of the Iowa Academy of Sciences for 1899, volume VII. 1900. Pp. 212.

(13) Proceedings of the Iowa Academy of Sciences for 1900, volume VIII. 1901. Pp. 278.

(14) Proceedings of the Iowa Academy of Sciences for 1901, volume IX. 1902. Pp. 244.

(15) Proceedings of the Iowa Academy of Sciences for 1902, volume X. 1903. Pp. 178. T. J. FITZPATRICK

A JOURNAL OF POLITICS, LITERATURE, AND SOCIAL QUESTIONS

[*Samtiden, Tidsskrift for Politik, Litteratur og Samfundsspörgsmaal.* Redigeret of Gerhard Gran. Kristiania. Vol. XV, 1904. Numbers 1 and 2. Pp. 1–136].

The 1904 issue of this journal appears with the sub-title *Journal of Politics, Literature, and Social Questions*. *Samtiden* began publication in Bergen in 1889 under the editorship of Gerhard Gran and Dr. Brunchorst, chiefly as a literary monthly. In Scandinavia practically all the well-known scholars have contributed to it and outside of Scandinavia many German, French, and English scholars. It has from the first maintained a high standard, occupying a place along with the best of European literary journals. The Nobel committee "recognizing that a publication that works for cultural enlightenment and progress thereby also works for the furtherance of the cause of peace," has given *Samtiden* financial support. This has enabled the editor to make certain changes, among them increasing its size from 48 pages to 64 a month or from 480 to 640 pages a year.[1] Its scope has also been extended so as to include Politics, the editor[2] believing that it can thus more completely fulfill its aim—that of

[1] *Samtiden* is not published in July and August.

[2] *Samtiden* has since 1900 been published in Christiania and edited by G. Gran alone.

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being, as its title indicates, a contemporary Journal (Samtiden, "the times, our time"). The enlargement has made this change possible without curtailing the literary department. The contents of the January and February numbers follow:

In an article entitled *The Political Scandinavianism*, J. Lövland, gives a history of the idea of the union of the three Scandinavian kingdoms from Gorm the Old to the present. The question *How to Create a Satisfied Laborer?* is discussed in an article of twenty pages by Ludwig Meyer. Professor H. Schück contributes a sketch of *Gustavus III.* Chr. L. Lange traces *The History of the Peace Movement* from the organization of the first peace society in Boston in 1815 down to the Hague tribunal. The well-known Norwegian literary critic, Chr. Collin, writes on *New Norse Literature from the European Point of View*,—from Wergeland to Björnson and Ibsen, and Hans Aanrud on *Norse Literature in 1903*. The new review department, *Thoughts of the Times*, by Dr. Andr. M. Hansen, seems to us a distinct advance over similar departments in, e.g., *La Revue*, *Die Zeit*, or *Det nye Aarhundrede*.[1] In the January number Dr. Hansen discusses recent scientific and medical discoveries. In the February number he discusses *Japan* in which he aims to show that the Eastern question is preëminently a racial question. In addition to this last one, of particular interest now will be two articles by Eric Givskov, one in the January number on *The Situation in the Far East*, the other in the February number on *Russian Conditions, Witte's Financial Policy and its Consequences*. Mr. Givskov's thorough familiarity with Russian matters generally and her industrial history in particular makes his article of real value. A just summary of it could not be given here. A resumé of the first article, however, written in December, will not be without interest.

Mr. Givskov points out that while the question of the possession of Corea and Manchuria is a question of life with Japan and one of greatest importance to Russia, there lie back of the solution of these questions interests that are immensely more far-reaching, namely,

[1] For the editor's idea of the best character of such a department, see pp. 5–6.

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"whether it shall be Japan or Russia who is to become the creator of the Chinese renaissance." The Russian annexation of Manchuria and the possibility of a subsequent annexation of Corea contains such danger to Japan's existence as a nation, that rarely has a war been waged for a more just cause.

A period of highly developed industrialism with its attendant over-production and the correlative of this over-population has inaugurated a period of financial depression. On its limited area Japan no longer finds room for its forty millions of people with an annual birth rate of 600,000. Right at its doors, in Corea and Manchuria, it has been wise and fortunate enough to find sparsely populated countries which could be converted into actual colonies. While Manchuria has been extensively settled by Japanese, Corea has become virtually a colony. Seoul is a Japanese city and the best of the population throughout all Corea is Japanese. Russian occupation of Manchuria threatens Corea's independence. With Corea once Russian, Japan limited to its present area would never be able to maintain its independence over against the "insatiable Russian colossus."

But just as Japan's need is more land, so Russia's equally great need is more water. Russia needs still an ice-free harbor,—not even Vladivostock was an ice-free harbor. Not until Russia secured Port Arthur has she had such a harbor. And so Port Arthur was connected with the Trans-Siberian railway by the Manchurian road. It was the need of this harbor which drove Russia to practically annex Manchuria. But after millions of expense Port Arthur, as Dalny near by, has proved not to be a good harbor. And so Russia looks with covetous eyes on Corea's coasts so rich in excellent ice-free harbors.

The interests of the two powers are therefore absolutely irreconcilable and of paramount importance for both. Back of these is furthermore concealed the fact that both are courting influence in China. The writer shows how neither power can afford the expenses of a war. The industrial development of Japan which inaugurated a

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period of industrial prosperity has been followed by one of depression. Taxes have increased 300 per cent as a result of the constantly increasing demands for military expenses. The peasants have been driven to the cities or forced to emigrate to the continent. As a result the necessities of life have advance from 25 to 100 per cent. All this has created an unhealthy industry and well-nigh destroyed a healthy agriculture. In a still higher degree are these things true of Russia, where industry has found no foreign market while the home market has been practically destroyed by the impoverishment of the peasant. Russian conditions are further aggravated by the constant possibility of political revolt. Givskov points out the significance and the probable results of the recent action of the Viceroy of India in sending an expedition against Thibet, where Russian influence has hitherto been dominant. In closing, he discusses the possible conditions on which the losing power would have to purchase peace in either case and the results to each and to the world at large.

GEO. T. FLOM

CONTRIBUTORS

PAUL S. REINSCH, Professor of Political Science in the University of Wisconsin, and Second Vice-President of the American Political Science Association. Born in Milwaukee, Wisconsin, 1869. Graduated from the University of Wisconsin in 1892. Member of the American Historical Association. Author of *Colonial Government; World Politics*; etc.

CHARLES FRED NOE, Member of the Amana Society or Community of True Inspiration. Practicing Physician. Born at Amana, Iowa, in 1876. Graduated from the College of Medicine of the State University of Iowa in 1898. Later he pursued postgraduate work in Medicine in Europe. Member of the Iowa County Medical Society, the Iowa State Medical Society, and the American Medical Association.

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ELBRIDGE DREW HADLEY, Member of the Bar and Secretary of the Iowa Society of the Sons of the American Revolution. President of the Ben Franklin Chapter of the Sons of the American Revolution (Des Moines, Iowa). Born in Deering, New Hampshire, 1842. Served with distinction in the Civil War. Graduated from Appleton Academy, New Hampshire. Author of *Manual and Year Book of the Iowa Society of the Sons of the American Revolution; Cedar Creek, A Conflict of Testimony;* etc.

SAMUEL EDWIN SPARLING, Assistant Professor of Political Science in the University of Wisconsin, and Editor of *The Municipality.* Born at Rensselaer, Indiana, in 1866. Graduated from the University of Indiana in 1892. Received the degree of Ph. D. from the University of Wisconsin in 1896. At one time Alderman of the city of Madison and Secretary of the League of Wisconsin Municipalities. Member of the American Political Science Association. Member of the National Municipal League. Author of *The Small City and the Model Charter; Uniform Accounting for Cities; Syllabus on Municipal Government; Municipal History and Organization of Chicago; Uniform Accounting for Wisconsin Cities; Municipal Reference List;* etc.

JOHN J. LOUIS, Superintendent of Public Schools at Harlan, Iowa. (See THE IOWA JOURNAL OF HISTORY AND POLITICS for January, 1904, p. 152).

ELMER HERBERT MEYER, Graduate Student in History and Political Science at the University of Denver. Born at Danbury, Ottawa County, Ohio, August 2, 1876. Graduated from the University of Denver in 1901. Received the degree of A. M. from the University of Denver in 1903.

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THE IOWA JOURNAL
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DANIEL WEBSTER[1]

To adequately depict the character of a man who has achieved distinction in a single line of human endeavor is no easy task. When, therefore, the subject of your address has been preëminent in at least three distinct fields, and your time is of necessity limited, the attempt to do him justice is well nigh hopeless.

Ordinarily we count that man great who has so far surpassed his fellows in any single line of work as to reach a commanding eminence. But when we find one who has outdistanced all competitors in at least three different paths we have no superlatives which exactly fit his case. Until that fatal seventh day of March Daniel Webster was the most popular man this country has ever known. He was simply idolized by the bar, the bench, and the people; was said to be the greatest man that ever lived, a veritable demi god—"the god-like Daniel." Indeed it was said that no man ever satisfied the imagination so completely. And these words, mark you, came from his contemporaries. For more than thirty years he was the leading lawyer, orator, and statesman of his country. He was for eight years a member of the House of Representatives, nineteen years a United States senator, and five years Secretary of State.

True Mr. Webster was not elected to the Presidency. But who of our really great men have been? He belonged to

[1] This paper was prepared as an address by Justice Horace E. Deemer, of the Supreme Court of Iowa, and was first delivered by him before the Grant Club (Des Moines) on January 15, 1903.

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that class of men too great to be President—men like Clay and Blaine to whom the title of President would have added nothing either to fame or honor.

Despite the tenacity with which men cling to life longevity is not always an unmixed blessing. Had Lord Bacon never risen to the highest honors in the state and then been degraded by the judgment of his peers and branded as "the wisest, brightest, and meanest of mankind"; had Burke shuffled off this mortal coil before he broke with his party in England and was driven by the horrors of the French Revolution into the ranks of his adversaries; had Blaine remained in the cabinet of his chief, instead of permitting that insatiable itching for the Presidency to take possession of his being and drive him into the Minneapolis convention as a competitor for the presidential nomination; had Clay the great compromiser never compromised himself on the question of the Mexican War, it would have been better for their reputation and they all doubtless would have been held in higher esteem than they are to-day. And so it would seem that but for that fatal "seventh of March speech" Webster would have gone down into history as one of the greatest men of his time, if not of all time.

Strange, indeed, is it not, that three of these men, each regarded for a time as almost angelic, fell through ambition. Had all the ends they aimed at been their country's, their God's and truth's, their names on history's page would not have been stained as they now are by foibles seemingly incident to great and small alike. Great men stand in such a fierce light that their mistakes cannot be overlooked or extenuated.

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Webster was compelled to expiate his mistakes in the jeers and taunts of his former friends and admirers. You will remember that Theodore Parker said of him:—"Oh, Webster! Webster! would to God I had died for thee. I have long mourned for him as for no living or departed man. He blasted us with scornful lightning. To him to die was gain, life was the only loss." Such expressions as these were common. "Webster is a fallen star. Lucifer descending from heaven." "Webster has placed himself in the dark line of Apostates."

Whittier named him Ichabod and mourned for him as one dead:

> Let not the land,
> Once proud of him
> Insult him now,
> Nor brand with deeper shame his dim,
> Dishonored brow.
> But let its humblest sons instead,
> From sea to lake,
> A long lament as for the dead
> In sadness make.

Failing to satisfy his itching palm for the Presidency, deserted by former friends, conscious of unfaithfulness to earlier ideals, clouds gathered around the evening of his life and he died like many another great man, soured by unsatisfied political aspirations. Shortly before his death he said: "I have given my life to law and politics. Law is uncertain and politics are utterly vain." The moral fiber of the man did not, it seems, comport with his mental strength.

But it is not of the man's mistakes personal or political that you wish to hear or that it is pleasant for me to dwell upon. He had the "will's defects, the blood's excess, the

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earthy humors that oppress the radiant mind." But 'tis "his greatness, not his littleness" that "concerns mankind." The public may have a right to insist on personal purity in her public men, but it is the good that men do which should live after them, not the evil which should be interred with their bones. When men are called from earthly scenes "'tis not ours to gauge" but rather that Omnipotent Judge to whom alone we are accountable for our personal conduct.

It is then of his acknowledged supremacy, his unrivalled superiority in a triple aspect of which I would speak.

Not often is one justified in referring to the personal attributes and characteristics of the man. But in this instance they seem so prominent and so peculiarly identified with the subject in the different relations of which I shall speak—as lawyer, orator, and statesman—that I shall take the liberty of attempting, with the aid of the splendid likeness now before you, to give you a notion of the real man. And first let me say that although born in New England his parents were not Puritans. They came from the North of England, whereas the Puritans were almost wholly from the eastern part of that little isle. Neither by birth nor by education was he a Puritan. He went to Boston after he had acquired his education and his habits of thought had become fixed, hence he had few of the virtues and none of the faults of that people—least of all their "pronounced provincialism." I speak of this because of his broad spirit of nationality, his catholicity, which marked his whole conduct and which finally became the guiding star of his public career.

The very makeup of the man seems symbolic, and to

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most of us he stands as the physical embodiment of the Federal Union. This may be due to some extent to the literature of the school books, but I think it is bottomed on a surer foundation.

He was indeed a child of nature; "like her he was unethical; like her he was not revolutionary; and like her he applied his powers along the lines of normal development." By nature he was a rustic, yet bore the marks of gentle blood in shapely extremities and well proportioned limbs.

Of ordinary height, large and compact of body, weighing a little less than two hundred pounds, with a swarthy complexion which gave him the cognomen of "Black Dan," straight black hair, a massive head, broad and lofty forehead, finely cut high bred massive features of no known type, crag like brows with very dark deep set eyes, which shone in action like a forge, "like charcoal in the bottom of a deep dark well," or, as Carlyle said, "dull dark eyes underneath a precipice of brows like dull anthracite furnaces needing only to be blown," with massive jaw and mastive mouth artistically arched and "accurately closed," dignified, apparently cold, and given a little to pomposity, which increased with years, a tragic melancholy expression which seemed prophetic of the future, to which should be added an harmonious and melodious voice of great flexibility and power, almost always dressed in a blue swallow tailed coat with brass buttons and a yellow waistcoat—such was the man of whom Parton spoke, when he said that when he rose to speak he looked like "Jupiter in a yellow waistcoat."

The impression which he made upon his fellow men is well known. You will remember that when he visited England

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an English navvy on the streets of Liverpool pointed at Mr. Webster and said: "There goes the King." Sidney Smith said: "Good heavens he is a small cathedral by himself, a living lie, because no man on earth can be as great as he looks." When Thorwaldsen saw his head in a studio at Rome he said: "Aha! a design for Jupiter I see"; and could not be convinced that he was a living American.

Carlyle who was not much given to overpraise of Americans, or of anyone else for that matter, after seeing him wrote to Emerson: "He is a magnificent specimen. As a logic fencer or parliamentary Hercules one would incline to back him at first sight against all the extant world. A dignified perfectly bred man—though not of English breeding. A man worthy of the best reception among us, and meeting such I understand."

All in all there is no man in history who came into the world so well equipped for his mission. Shakespeare must have had such an one in mind when he made Hamlet say:

> The front of Jove himself:—
> An eye like Mars to threaten and command;
> A station like the herald Mercury
> New lighted on a heaven kissing hill;
> A combination and a form indeed,
> Where every god did seem to set his seal,
> To give the world assurance of a man.

You may well imagine how such a person full of his subject, gifted with surpassing powers of speech, careful in the selection of his words, blessed with an unusual memory, forceful and convincing in his utterances, which were full of harmony and melody, affected those who heard him. A bitter opponent who listened to his famous "seventh of

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March speech" said that when Mr. Webster, speaking of secession, asked, "What is to become of me?" I was thrilled with a sense of some awful impending calamity.

Indeed his personality was such that even when he uttered a few commonplaces, as he frequently did, especially in his declining years, people went away avowing that they were of the greatest foresight and wisdom.

Webster's mind was essentially synthetic and analytic. It was neither creative nor ingenious. Indeed, few lawyers have creative genius. Their habits of thought tend to curb the imagination and are toward conservatism. They do not as a rule create anything—but disturbance—and blindly and unquestioningly follow precedent. They become strong logicians and adepts in the art of refinement, have great vigor of intellectual grasp and penetrating judgment, but are rarely, indeed, creative. The creative genius is so rare everywhere that when he comes he attracts the whole world.

Webster could construct on old foundations, but had no faculty for laying new ones. His mental processes were along historical lines—evolutionary and not revolutionary—and he had a very clear perception of that increasing purpose which has run throughout the ages. He was a great student of history, and his Plymouth Rock oration is a clear index to his habits of thought. There, as you remember, he traced the causes which, beginning with the reformation, led in the fullness of time to the colonization of America and to the establishment of those principles of liberty which even then gave promise of the mighty nation we have now grown to be. In this respect he was distinctly superior to Hamilton, but greatly inferior to him in creative power and in all that

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goes to make up the real man of genius. Indeed, I think Hamilton one of the greatest political geniuses the world has ever known.

Finding such wonderful powers of synthesis and analysis as Mr. Webster possessed coupled with singular purity of style and perfectly sane mental processes we may well expect eminent success in his chosen profession—the Law. This he surely had. Notwithstanding his political mistakes no one will deny his preëminence at the bar. As would naturally be expected, I like to dwell on this side of his career. You will remember that his mother said he would "come to something or nothing, and she was not sure which." The turning point in his career was his refusal to accept the clerkship of the County Court at a reasonably fair salary, much to his father's disgust. But you, of course, will not be interested in the details of his professional life, and it is too long a chapter to be considered in a single address. Suffice it to say that Mr. Webster was what we would call here in the West "an all around lawyer." He did not specialize, but took all kinds of cases—even criminal ones, in one of which he gained great fame as an orator.

There is no justification for now considering any part of his career as a lawyer except where in that capacity he had to do with cases of great political significance. No other lawyer has so ably expounded the Constitution in the forum and on the platform as Webster; and no one save Marshall, the Great Chief Justice, did so much to maintain and preserve it on its true foundations and in its just proportions.

Webster and Marshall were of like political principles and worked together for a liberal and proper interpretation

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of the Constitution. Marshall of course spoke the more authoritative words; but they were delivered in the quiet recesses of the court room. A herald was needed to raise the people up to a proper conception of these judicial utterances and to inspire them with a love for the great country which Marshall was so quietly yet so efficiently constructing in his chambers. Webster thus coöperated with Marshall; but he had a wider field, larger audiences, and a more far reaching voice.

Some judicial questions are so closely related to politics, in the larger sense of that term, that it is hard to divorce them; and it is true, I think, that Marshall's fame rests chiefly on his statesmanship, although expressed in the form of judicial decisions.[1] Had Marshall been a follower of Jefferson, instead of Hamilton, it is not difficult to imagine the construction he would have placed upon our Great Charter.

Fortunately for posterity most of Mr. Webster's great forensic efforts have been preserved. In this respect he has a decided advantage over most of the great lawyers of his time—and there were many of them. Hamilton was no doubt a great lawyer, although he was admitted to the bar after only four months of study. But none of his legal arguments have been preserved. Indeed the lawyer's fame is generally local and evanescent. Mr. Webster was engaged in so many great and important cases and early in his career had won such fame as an orator that most of his great efforts were reported and we are now able to read them

[1] See Emlin McClain's article on *Chief Justice Marshall as a Constructive Statesman* in *The Iowa Journal of History and Politics*, Vol. I, p. 427.

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substantially as delivered. It is said that few great speeches read well, but this is not true of Mr. Webster's main efforts. He had the happy faculty of breathing the breath of life into the most ponderous sentences.

It is not my purpose to take up his forensic arguments in detail or to make an analysis of the questions involved and the points decided in the important cases in which he was engaged. One case, however, must be specially mentioned. It is the somewhat famous case of *McCullough vs. Maryland*, wherein the Federal Supreme Court first announced the great principle of liberal construction which was to serve for all future time as a beacon light in the interpretation of the Federal Constitution. For the purpose of pointing a way to the possible solution of impending difficulties let me here briefly state what was there decided.

First. It was held that if certain means are apparently necessary to carry into effect any of the powers expressly given by the Constitution, and be an appropriate measure to that end not prohibited by the Constitution, the degree of its necessity is a question of legislative discretion and not of judicial cognizance.

Second. That if an end be legitimate and within the scope of the Constitution, all means which are appropriate and adapted to that end may be employed.

Third. That the power of establishing a corporation, while not an end of government, may become a means of exercising powers given by the Constitution, and may be exercised by that government.

With these premises for the first member of the syllogism, and power to borrow money, to regulate commerce, and to

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raise revenue, expressly granted by the Constitution, as the second, the Court held, in accord with Mr. Webster's argument, that Congress had power to incorporate a bank.

I wish to emphasize the importance of these doctrines as suggesting a possible solution of one of the troublesome questions now before the American people. If Congress may on such slender threads incorporate banks, why may it not require the incorporation of those big corporations largely engaged in interstate commerce, often with a tendency toward monopoly, which the President has denominated trusts, under the power given by the Federal Constitution to regulate commerce? This would not only enforce publicity, but place the whole matter under federal regulation and control. Would it not be well for our present day statesman to turn back to the argument of Mr. Webster in *McCullough vs. Maryland*, and to the very able opinion of the great Chief Justice, for light on a question which seems to be so perplexing? This may not be a solution, but it has occurred to me that it is worth investigating.

What objection is there to a conservative federal law for the incorporation of companies engaged in interstate commerce? Nothing it seems to me save the old notion of "States rights." What is the constitutional objection to such an enactment? None, as I believe. Nearly all new questions may be settled by reference to fundamental principles, if we but search deep enough for them.

The other distinction I would have you notice is that the attitude of the majority in Congress with reference to our recent acquisitions of territory and the final decision in the insular cases was bottomed on Mr. Webster's idea with

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reference to the "March of the Constitution." At the risk of trespassing on your patience, I am going to quote what Mr. Webster said in reply to Mr. Calhoun, who was contending that the Constitution, *ex proprio vigore*, extended over all the territory belonging to the United States.

> The Constitution, as the gentleman contends, extends over the territories. How does it get there? I am surprised to hear a gentleman so distinguished as a strict constructionist affirming that the Constitution extends to territories without showing us any clause in the Constitution in any way leading to that result; and to hear the gentleman maintaining that position, without showing us any way in which such a result could be inferred, increases my surprise.

After showing that the Constitution had nothing to do with land titles, domestic relations, or property rights, and that the State or territory had no law but such as it derived from the Constitution, and was entirely without government, he proceeded as follows:

> When new territory has been acquired it has always been subject to the laws of Congress, to such laws as Congress thought proper to pass for its immediate government during its territorial existence, during the preparatory state in which it was to remain, until it was ready to come into the Union as one of the family of States.

This matter should no doubt be regarded as a closed incident, but it demonstrates in a most effective way Mr. Webster's great prescience and his unusual ability as a lawyer. He was unquestionably the leader of perhaps the strongest bar this country has ever had. To him as much, perhaps, as to Marshall is due the stability, the perpetuity, and the destiny of the Federal Union from the standpoint of the forum.

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A good lawyer may be a great orator, although he need not be; a great orator may be a good lawyer, although this is by no means universal. But to be a great statesman and a great lawyer one must also be gifted with adequate powers of speech. Time will not permit of long dwelling on Mr. Webster's ability as an orator. From the description already given of the man it is evident that he had all of the physical attributes of the orator. But he did not rely on these alone. He was a great student, a diligent reader of the classics. He read much from Shakespeare, Milton, Johnson, and Burke—the latter I fancy he greatly resembled, although unlike the latter he did not keep on refining while his hearers were thinking of dining. In political history there was nothing which escaped him. His taste was excellent and he excelled in three almost incompatible forms of speech—at the forum, in the halls of legislation, and before the people. He has been compared with Hamilton, with Clay, with Choate, with Burke, and with Pitt—indeed with all the great orators both ancient and modern. Competent judges have declared that he suffers nothing from such comparisons. Senator Lodge, who has given the matter great thought, declares that he is unsurpassed as an orator, that his addresses combine exact balance, the living force and freshness of the spoken word, with the literary qualities which alone insure endurance. Webster did not have Burke's richness of imagery, and before a jury he fell behind Choate. He was not as florid as Chatham, and did not have the personal magnetism of Clay; but all in all he was the equal if not the superior of any of them. His oratory was at all times perfectly sane and sound and admirably suited to the occasion.

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There is nothing finer in the history of forensic eloquence than his speech for the prosecution in the White murder case.

The Plymouth oration on an entirely different occasion is well nigh perfect, and the two Bunker hill orations will survive even the monument itself. His closing appeal for his alma mater in the Dartmouth College case, which it is said brought tears to the eyes of the staid Justices of the Supreme Court, has never been equalled and can never be repeated. It is the only known case of a successful appeal to the sympathy of an appellate tribunal. Ordinarily such efforts are entirely out of place in a court of last resort and fall upon unresponsive ears. One must be a master of all the arts and tricks of oratory to indulge in them.

Mr. Webster's reply to Hayne in the United States Senate is by common consent regarded as the greatest political oration that has ever been delivered. Indeed, his labors, his studies, and the thoughts of a lifetime were in preparation for this splendid exposition and defense of the Constitution. Running through all his prior orations you will notice a warp on which all his ideas regarding the government and the Constitution were woven. His life had been a constant preparation for that supreme effort. It is said that a single speech of Mirabeau's ushered in the French Revolution. Undoubtedly in the light of history Webster's address in reply to Hayne furnished the inspiration which finally throttled rebellion.

Webster was not a great constructive statesman. But he did quite as much for his country as some of his more brilliant and meteoric compatriots. Born into the Federalist

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party of Hamilton and Marshall, he was nevertheless independent of party and always sacrificed its principles when they seemed to conflict with his strong sense of Nationalism. After the demise of the Federalist party through the election of Jefferson, Mr. Webster identified himself with the Whigs, where he naturally associated himself with Clay and Adams in opposition to Jackson, Benton, and Van Buren, and thus paved the way to leadership of a party which he eventually ruined.

He opposed the embargo act, opposed the conduct of the war of 1812, and insisted on a naval war instead of exhausting our resources on Canada—indeed he always stood as most statesmen have for a strong navy—but he had little sympathy with the then prevalent Federalist threats of secession on account of that war. Indeed, he openly discountenanced the measures which led to the Hartford Convention and kept his native State out of that movement which was, perhaps, quite as antagonistic to the Union as were the South Carolina nullification acts. He favored a national or United States Bank, but insisted upon its being specie paying, and was strongly opposed to paper money in all its forms. He was always a foe to irredeemable paper whether in times of war or in times of peace, and at this early day rendered yeoman service to the cause of sound money. Always for works of internal improvement and for the development of the great West, he did not share in the common New England view that the growth of the heart of the Continent would be detrimental to the sea board. Vigorous in his opposition to the "Holy Alliance," he first announced the duty of the United States toward the oppressed of any land, and pointed

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the way to the modern doctrine of intervention. As would naturally be expected, he threw his whole soul into Jackson's "force bill," which authorized the President to call out the United States troops to enforce the laws of the land and to suppress secession and treason, and in this connection he made that great speech known in his works as *The Constitution not a compact between Sovereign States*, paving the way to the magnificent reply which he was to make to Mr. Hayne's argument for the right of a State to secede. He averted another war with England through peaceable settlement of the Northeast boundary dispute, and finally settled by diplomacy the question over which the two countries contended without result in the war of 1812.

In the Cabinet he displayed as high qualities and attained as great a measure of success as any person who has ever held such a portfolio. But you are waiting I know for what I have to say regarding his attitude on the tariff question. This problem has had a most peculiar history. It has played such an important part in politics past and present, that I cannot hope to adequately present the matter from an historical standpoint in the short time allowed me.

Every one knows, of course, that Hamilton was a protectionist, and that largely through his efforts the first Congress passed a protective measure which received the approval of General Washington. The New England Federalists unaware of the latent possibilities of their babbling brooks and running streams, were opposed to Hamilton's notions, and the large majority of them were free traders. They were engaged in foreign commerce, and their merchant marine were plying all waters. Whoever has visited old

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Salem and her Essex and Peabody institutes will understand the force of these suggestions. Strange as it may seem, the South and the West under the leadership of Mr. Calhoun initiated the protective policy as a party measure in the year 1816. Webster, a new England representative, opposed it as against the interests of his constituents, and again in 1820 and in 1824 he stood as the champion of free commerce, declaring the protective policy pernicious, if not unconstitutional, and subversive of commercial intercourse between nations.

But in 1828 when a bill which was so much worse from the free trader's standpoint as to be called the "bill of abominations" originating in an agitation by woolen manufacturers, which enterprise had but recently come into existence by reason of the protective policy, came before Congress, Webster spoke and voted for it, and ever afterward acted with the protectionists. He then became an advocate of the "American system" fathered by Henry Clay and matured by James G. Blaine. Indeed, he refused to go with Clay in his compromise measure to thwart the purpose of the "Force bill" which was aimed at Nullification, the exponent of which was the same Calhoun who was largely responsible for the protective policy.

This course on the part of Mr. Webster led to the oft repeated charge of inconsistency. For a moment I wish to examine that charge in the light of some reflections on the tariff policy. And first I want to make an admission—a personal one it must be, for I speak for no party—that from a purely academic and theoretical standpoint the free trader has the better of the argument. His theory is beau-

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tiful and enticing though purely Utopian and visionary. It is such stuff as dreams are made of, and entirely unsuited to our conditions and environment. Next I want to confess that protection originally was and may even now be conceded to be an expedient—but an expedient now so long followed that it has become a policy which cannot be departed from without menacing all our business interests and sapping the very foundations of our economic policy. By reason of these facts nearly all men of affairs are protectionists. The theory of free trade is the philosophy of the cloister, while the policy of protection is the wisdom of the workshop.

Daniel Webster like Thomas Jefferson was as a theorist a free trader, but as a man of affairs and as an exponent of sound economic policy for this country he, like Jefferson, became a protectionist. And such, indeed, has been the evolution in the belief of most people who have studied the question in its practical aspects, who have been a part of history, or who have studied statistics.

But whatever the point of view all, I think, will agree with Mr. Webster in his final conclusion that when a policy has once been established—expedient though it may be—it should not be changed to meet every suggestion of inequality. Believing that many industries had been built up on the faith of a protective policy he declared that it was the duty of the government at that juncture to protect and not to destroy, and that so far as was in his power he should hold steady the degree of protection already bestowed. He did not believe in strangling those industries which had been lured into life through promises of protection. It is not too

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much to claim that when Mr. Webster came to observe the practical workings of the policy which he had opposed, when he saw about him in his own New England theretofore untamed and uncontrolled forces of nature bridled and harnessed for the diversion of industry and the diffusion of wealth, witnessed the steady and ample growth of the home market, the creation of opportunity for labor and Yankee inventiveness, and how closely agriculture, commerce, and manufacture were linked together, he modified to some extent at least his scholastic views regarding the tariff.

Throughout all these remarks you may have discovered the thread which if followed leads to the concluding paragraph. All that Webster did and all that he said seem to have been in preparation for the supreme moment of his life. In all his public addresses it will be found the strong, the predominant note of Nationalism. He invariably kept step to the music of the Union. He supported Jackson in his efforts to coerce South Carolina and accepted Calhoun's challenge on the doctrine of "States rights." Unconsciously, perhaps, in his advocacy of internal improvements, the building of national roads, the dredging of rivers, the establishment of light houses, and the chartering of a national bank, he was paving the way to that great effort which was to make his name secure for all time and give him a unique place in history.

The Constitution of 1789 meant something different in those days from what it did in 1861 and from what it does to-day. Hamilton seems to have been the only man among the Fathers who had any clear conception of the government they were creating, and even he used the then rife doctrines

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of possible separation as a postulate for the defeat of Burr when the latter was a candidate for Governor of the State of New York. He made no public protest which I can find against what in those times seemed in a measure at least to be accepted doctrine, to-wit: the "right of a State to secede."

Viewed in the light of impartial history we can have more charity at this late day for our erring brothers of the South. You have already heard of the famous Kentucky and Virginia Resolutions; but you have not been informed, perhaps, that the same doctrines were prevalent in New England; that the Hartford Convention, convened in the town bearing that name, and, composed of tried and true Federalists, also resolved in favor of the right of nullification and secession. Josiah Quincy, a member of Congress from Massachusetts, said in 1814 in speaking on a bill for the admission of Louisiana into the Union:

> If this bill passes it is my deliberate opinion, that it is a virtual dissolution of this Union; that it will free the States from their moral obligation, and as it will be the right of all so it will be the duty of one definitely to prepare for separation—amicably if they can, violently if they must.

In 1844 the legislature of Massachusetts passed a resolution to the effect that the project for the annexation of Texas unless arrested at the threshhold may tend to drive these States into a dissolution of the Union. Mr. Madison in the *Federalist* admitted the doctrine of secession. Indeed, the Abolitionists of the North were boldly declaring "No Union with Slaveholders."

The spirit of true Nationalism was of slow growth, and

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the idea of divided sovereignty difficult of comprehension. Indeed, it must frankly be confessed that the latter is not perfectly understood at this day, despite the baptism of blood which the Constitution from the beginning seemed destined to receive.

Had the country remained as it was when the Constitution was framed, it is doubtful if it would ever have become anything more than a mere confederacy. In those days States were treated as the units of a government of delegated powers, and men naturally regarded their allegiance to these constituent parts paramount. State pride was peculiarly potent, and the government was considered simply a compact between sovereign States which might at any time be dissolved.

That men who had been instrumental in building up these Commonwealths, who had watched their growth and development with paternal solicitude, should put the State above the nation is not to be wondered at; and at this remote period we may look back with much charity on those misguided men who recognized the sovereignty of the State as paramount to their obligations to the Union. While it was generally believed by all that the new government was to be a nation in the family of nations the exact nature of that government was not clearly understood, and the spirit of Nationalism was the product of time.

With the acquisition of the Louisiana Territory, the really cementing influences of the war of 1812, the building of national turnpikes and canals, the establishment of light houses, the creation of a national bank, the decisions of Chief Justice Marshall regarding the powers of the federal

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government, and the enactment of the Fugitive Slave Law there came new notions regarding the Union. It was exercising national functions, it was bringing the citizens of the different States into closer relations, it was asserting all the powers incident to the strongest sovereignty, and the people were beginning to realize that it was their government and not a government composed of the several States. But while this spirit was evolving and growing there was at all times a very prevalent notion that the Constitution was a compact between sovereign States from which any one State had the right to withdraw at pleasure. This was freely asserted in and out of Congress, and while half-heartedly denied by a few, no one had as yet found voice for the true situation.

Jackson, the good old Democrat, had a strong notion of the true state of affairs, and had he carried out his threat and hanged a few of the nullifiers early in the conflict possibly we would have been saved from a dreadful revolution. But a great compromiser appeared. A man who had the enchanter's wand, the subtle influence of personal magnetism, and the indescribable qualities of personal leadership—Henry Clay—who, erroneously thinking that every good thing grew out of compromise, toyed with the secession sentiment until it was able through arrogance and bluster to fully entrench itself in a large number of States. Compromises are sometimes a good thing—indeed the Federal Constitution is in itself a bundle of compromises—but no one has ever been able to effectually compromise with an evil which offends against the conscience of mankind. Here is where Daniel Webster made his mistake. It is the rock on

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which Henry Clay foundered, the principle which almost led us to destruction on the money question.

Such then was the state of feeling in the year 1830. The challenges of the South had for a long time gone unanswered. Indeed, from the historical standpoint they seemed to many who wanted to believe otherwise almost unanswerable. Webster had undoubtedly come out second best in his debate with Calhoun, which had been waged on the historical side of the question, but he had paved the way to a proper conception of the government if it was to stand the strain of time.

Such was the situation when an innocent resolution was introduced by Mr. Foote of Connecticut in relation to the disposition of western public lands. The South seized upon this as an attempt to prevent the development of the West; and Mr. Hayne, the gifted and theretofore invincible Senator from South Carolina, acting as the mouthpiece for Calhoun, who was the then presiding officer of the Senate and the genius of secession, made it the pretext for an assault upon New England and for the promulgation of the southern view of the fundamental law. Webster was engaged before the Supreme Court of the United States, but happened into the room just as Hayne arose to make his first address. Noting the character of the opening remarks he remained until Mr. Hayne concluded, then took the floor and made a calm reply to the charge of hostility on the part of the East toward the West. Hayne was not satisfied and gave notice that he should resume the debate. Feeling that he was a match for Webster, that he had the historical aspect of the question in his favor, adroit and eloquent as he surely was, he went to

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his task with the confidence of one to whom victory is already assured. Thursday, January 20, 1830, before an immense assemblage he fulfilled his promise, and in a speech of great length made a bitter attack on New England, on Webster personally, and on the patriotism of Massachusetts. He also made a full and what was supposed to be a final exposition of the doctrine of nullification, treating it historically and theoretically, and in the very Senate of the United States hoisted the red flag of nullification and secession. This address, strong and well sustained, delivered with that force and elegance of which the great Southerner was master, seemed unanswerable. Men of the North were dejected and walked the streets with dazed and downcast eyes.

Knowing that Webster was to reply the next day his party, political, and personal friends trembled over the outcome. Some of them timidly called upon him to see if he appreciated the magnitude of his undertaking and the importance of his self-appointed task. To all he appeared indifferent and to some entirely oblivious of the situation. They left him with much fear and trepidation and went into the Senate chamber the next morning doubtful of the issue and almost dumb with fright. Not so Mr. Webster. When he appeared in the Capitol he found it filled with men and women struggling for room and packed with eager and expectant listeners. Mr. Everett, who had consulted him the evening before and who was now present to witness the great intellectual combat, was nonplussed over Webster's seeming indifference and apparent lack of preparation. But what an occasion it was for the orator. Eloquence, as the subject of this sketch once said, consists in the subject, the

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man, and the occasion. Here all were present and all were utilized to the full measure.

Those who have read Mr. Webster's speech remember how he soothed the troubled waters with a short and most effective exordium, how he disposed of the personalities involved, how he turned Hayne's allusion to Banquo's ghost to his own advantage, how he vindicated the North in its attitude toward slavery, those crushing sentences on internal improvements, the justification of his attitude on the tariff question, his eulogy of the South, and particularly South Carolina, his love for the entire Union, and then how ably he defended the true principles of the constitution—that this is a people's government derived from the people, that the States had no right to interpret Federal statutes, that in case of dispute the matter should be relegated to the courts, and that the doctrine of nullification involved as a last resort appeal to arms which was nothing short of treason—then the vivid picture of the militia of South Carolina marching to the custom house with General Hayne at their head, and last of all that splendid peroration, unsurpassed and unsurpassable, which will live so long as men love liberty and value country. Read the closing paragraph:

When my eyes shall be turned for the last time to behold the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union, on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched it may be in fraternal blood. Let their last feeble and lingering glance rather behold the gorgeous ensign of the republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in this original luster, not a stripe erased, not a single star

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obscured; bearing for its motto no such miserable interrogatory as, What is all this worth? Nor those other words of delusion and folly, Liberty first and Union afterwards, but everywhere, spread all over its characters of living light, blazing on all its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment dear to every true American heart, Liberty and Union, now and forever, one and inseparable.

When it is remembered that from the Senate chamber, in full view of the assembled audience and all the Senators, "Old Glory" was floating in the breeze, filled it seemed with the very spirit of the occasion, the effect of this never to be surpassed oration may be imagined, although never fully described. Massachusetts people grew a foot it is said in a single day; and all over the North men who had been terrorized and cowed by the arrogance and insolence of the South acquired assurance and gained courage for the future. Thoughts which had lain dormant and expressionless were now crystallized and precipitated, and the spirit of Nationalism from that hour became triumphant.

Webster did not, of course, discover the fact that a nation had been created by the Constitution, and he was not the first to give voice to the doctrine of Nationalism, but he did put into words as no other could have done the fondest hopes and most fervent prayers of a patriotic people.

Jefferson was not in a strict sense the author of the Declaration of Independence, but he rounded into form in his own inimitable way the feelings of the American colonists and launched the great ship of state. Webster stepped her masts and unfurled her sails to catch the dormant spirit of Nationalism. He furnished the inspiration and sounded

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the tocsin for the "boys in blue," who rallied round his words and thundered from their guns the noble sentiment of "Liberty and Union, now and forever, one and inseparable." This single sentence was Webster's message to his time and to all time. This was the shibboleth which led the American people to the terrible sacrifices they were called upon to make for the perpetuity of the Union.

If there be any apology for his "seventh of March speech," for his remaining in Tyler's cabinet after he had broken with his party, it is to be found in this thought that his passionate love of country surmounted everything. And it may be that Mr. Lincoln was actuated by the same motives when he declared that he would save the Union with slavery if he must, without slavery if he could, but at all events he should save the Union.

We may well put aside all other events in Mr. Webster's life and there yet remains enough in this single and triumphant effort to give him high place on the nation's roll of honor. He as no other fully and completely expressed the hope and faith of the nation; and his name and fame will last as long as the Union survives.

HORACE E. DEEMER

SUPREME COURT CHAMBERS
DES MOINES

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FIRST YEARLY MEETING OF THE IOWA ANTHROPOLOGICAL ASSOCIATION

The Iowa Anthropological Association was founded October 5, 1903, at Iowa City, Iowa. An account of its origin, formation, and organization was published in the January, 1904, number of THE IOWA JOURNAL OF HISTORY AND POLITICS, p. 143. The Executive Board arranged for the holding of the first yearly meeting in the Hall of Liberal Arts, at Iowa City, Iowa, on February 13, 1904. The following is the Secretary's report of the proceedings, corrected and revised:—

INTRODUCTORY ADDRESS BY THE PRESIDENT

President Samuel Calvin called for the program at 9:45 a. m. He explained the founding of the Association, its general purpose, its organization, the arrangements for the present meeting, referred to the speakers, and paid an eloquent tribute to the guest of honor, Professor W. J. McGee, Chief of the Department of Anthropology at the World's Fair, St. Louis.

In introducing the first speaker, Professor Calvin quoted from some one the remark that Geology would be a grand epic if it only had some human interest, and stated that that human interest had now been found in its relation to Anthropology. But to understand this last chapter we have to read the first part of the story. Hence the close relationship of the two sciences.

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THE LIGHT THAT PHYSIOGRAPHIC STUDIES THROW ON ANTHROPOLOGICAL PROBLEMS

Prof. F. G. Wilder opened the regular program. His first point was that Geology and Anthropology are both field studies, and that where one ends the other begins. Here they interblend to such an extent that the student in one field may easily devote himself to the other.

Some of the phenomena have points of likeness. The works of early man often resemble Nature's piles of earth. The student of either must know the characteristics of each. Kames, mounds, etc., must be distinguished. Geology states the principles by which the age of remains of early man is to be judged. The Anthropologist must study the strata and the possible modes of covering. For want of such study modern relics have often been assigned a venerable age. The age can not be determined by the relics alone. There are agencies which may rapidly bury a relic, which have to be taken into consideration in each case. These agencies are mostly Geological. It is that division of Geology which is usually called Physiography that is most helpful to the Anthropologist.

Discussion

President Calvin described the Indian quarries in the pipestone region of Minnesota. He stated that there were two ledges of quartzite above the pipestone layer. They are six feet thick. This was removed by hammers and heat. The pipestone layer when reached is about fourteen inches thick. A horseshoe ornament and a tablet with engraving on it, both made by the modern Indians, were

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passed around. The mining has been done in a number of places and for a long time.

Professor W. J. McGee explained the use of fire by Indians in pipestone quarries. It was made to heat the rocks and then water was thrown on. They cracked and were then wedged and levered away. The places became sacred after the object sought was reached. The region was then deific, filled with spirits of supernatural powers. No violence must be committed there. No white man was ever killed in such a region.

The pipestone was used to make pipes, tomahawks, etc. The calumet was a pipe and a tomahawk, and was a symbol of peace and war. But the tomahawk was useless because of soft material. Hence the Indian's idea of its efficiency was based on his idea of the spirit which pervaded it.

The school of Geology is essential to the education of a high grade Anthropologist.

THE HUMAN BEING FROM THE STANDPOINT OF BIOLOGY

Prof. C. C. Nutting said that from the biological standpoint man is an animal, yet a somewhat important one. Hence Biology studies man with perhaps more care than other life. This it can do the more easily because man is near, and the Biologist knows him better even without study.

In the scale of life man is high up. Yet biologically he is not so high as has often been thought. Naturalists have sought for some distinguishing characteristics which separate man entirely from the rest of life. It has been claimed in various organs—hands, teeth, lower limbs, etc.

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But the hand is not superior. It is primitive in structure and not better than that of some so-called lower creatures. The teeth are unspecialized. In food man is omnivorous. His food handling is inferior. His erect posture is not a monopoly. Even the kangaroo, some of the apes, and all the birds assume the erect position usually.

Man's high rank is not found physiologically except in his brain. This is specialized. Relatively it is overgrown and overbalances all the other unspecialized parts of his system. His skull is only in a small degree remarkable. Those of the gorilla, ourang, and chimpanzee are about equally specialized with that of man. The most characteristic feature of the human skull is the chin. The angle of the two is clear and definite.

Another rather special characteristic of man is his relatively hairless skin. There is a widespread notion that he became hairless by wearing clothes. But this is not so. The savage is naked, yet hairless. It is probably due to the correlation of the epiblastic structures. Between the teeth, hair, the sense organs, and brain there seems to be some as yet little understood correlation; and preponderance of development in the last brings about degeneration of the others.

Professor Cope made a suggestion regarding the relation of the herbivores and the carnivores, and how the speed of the former and the strength of the latter had been achieved. One line chose flight, the other might as its chief means of defence. Thereafter their peculiar developments followed. A third group of quadrupeds did not do either, but took to the trees and became brainy. It turned out in Biology that

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the race had not been to the swift or the battle to the strong. It had been to the brainy.

High specialization, while it has its advantages, is also dangerous. It cannot accommodate itself to changing environment. This is often seen in animals which become exterminated by change of circumstances that come on rather rapidly. Professor Cope's "Law of the Unspecialized" expresses the fact that the most highly specialized members of a group are less likely to leave descendants than the less highly specialized. Is this brain specialization of permanent advantage to man? Or is it a possible means of the ultimate extinction of the human race? Will man's high intellectuality cut him off from the life of the world? Professor Thorndike's analysis of the lack of reproductive tendency of the intellectual or college-bred classes may point to some facts of great import. It has been implied that the "common man" will save the world from depopulation. If so, this shows the great importance of the "average man."

Discussion

Professor Seashore asked some questions as to the possible power of sexual selection in bringing about some of these changes. To these Professor Nutting very briefly replied that in his opinion it was ever active, but was not sufficient to account for the changes.

ARCHÆOLOGY AS AN INSTRUMENT OF ANTHROPOLOGY

Professor Arthur Fairbanks took up this subject. By Archæology is understood the study of the remains of man in past ages. Such a study is not an independent science;

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it is only a method or instrument, scientific in character and useful in the prosecution of various sciences. Its chief instrument is the spade. When the remains of a particular people have been uncovered, classified, and dated, the work of the Archæologist is finished; then other sciences use the material for their different ends.

History utilizes it. The literary sources for the history of Egypt have been corrected and supplemented by a vast amount of new material. Of the history of the Mesopotamian valley, which can now be traced back more than 4000 years B. C., almost nothing was known till the explorer's spade brought to light countless clay tablets on which this history is recorded in detail.

The study of sculpture, painting, and other fine arts utilizes this material. For a knowledge of Greek sculpture we are not dependent, as was Winckelmann, on late Roman copies, because a long series of originals has since been unearthed, extending from the earliest times down to the Hermes of Praxiteles and the Nike from Samothrace. The art critic can begin his work only after Archæology has completed its task in recovering works of art, naming them, and ascertaining their approximate date.

Even the study of literature and language finds much material here. The literature of Egypt comes from its tombs. In Babylonia the records of that early past reveal languages as well as literature before unknown. Even Greek literature is being enriched from this source.

In particular, the historical study of social conditions depends on the use of this material. The sites where a people lived and the buildings they occupied, the utensils and

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weapons they used in private life, in commerce or as a state, all these are studied first by Archæology and the material thus prepared is the basis of Historical Sociology.

It is thus that Archæology becomes the basis for the study of man in that it furnishes so large a body of material for this study. If Anthropology is to be understood as the Science of Man it will utilize at least three methods:—(1) The ethnological method. It will study savage races, not because they are "more human" than civilized races, but because here the student learns what is least human. To know what man is we need all the light we can have. As the Biologist studies the lowest cells to get at the problem of life, so the Anthropologist studies the lowest types of man to formulate an answer to the question "What is man?" (2) Anthropology will use the archæological method; it will study the history of human life from the earliest times to discover if possible the laws of human development, just as the Biologist seeks to learn the laws of the development of life through the whole series of living things. (3) It will not neglect the study of the highest types of man. To concentrate attention on the lowest types would be as fatal a mistake for the anthropologist as for the botanist or the zoologist.

Thus it appears that Archæology is a scientific method used by many sciences, and that it is only one of the methods used by Anthropology. I wish to protest against the conception that Anthropology is the study of savage races; it has no right to the name unless it is the study of the life of man. Of course, in order to know the higher life it is necessary to know the savage. We must go back

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of the present to know the present. By Archæology we can retrace the work of man and make our knowledge of civilization continuous. Naturally the sciences of nature have developed before the science of man, yet it is idle to think that science will stop short of its highest goal. It is the relation of all the sciences of Anthropology that makes them interesting. It is because they bear on human life that we care for them.

MODE OF THE DEPOSITION OF THE LOESS AND THE CONSEQUENT DIFFICULTY IN DETERMINING THE AGE OF HUMAN REMAINS

Professor B. Shimek treated the whole process by the analysis of a single case, viz., that of the "Lansing Man," on the Concannon Farm, by the Missouri River, twenty miles northwest of Kansas City. Of this much has been written during the last two years. Great claims of human antiquity in this locality have been based upon it. Professor Shimek has visited it, taken numerous photos, and examined the cave and its surroundings in detail. He described the general Geography, the special local conditions, and the Geology of the region.

The loess deposited where this cellar was dug is not ordinary loess deposit. It has come there by creeping, slipping, sliding. It is mixed with broken rocks, especially with the carboniferous limestone which forms the basis of the hill behind it. In and through it are a few shells such as are on the surface in the vicinity to-day. There is no natural or original loess deposit in which there occurs such a mingling of rocks, etc., as is here seen. This particular loess is

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not of the first or natural deposit. It may have been a slump over the bank in very recent times, i. e., within fifty or a hundred years. There is no definite evidence of great age.

On the other hand, the remains found are not such as to indicate a man of more primitive type than the Digger Indians of the time of the early White settlement.

Discussion

President Calvin had also visited the spot and he corroborated the remarks of Professor Shimek. Just back of the Concannon house, within a rod, the carboniferous limestone comes to the surface. From this ledge the loess has probably slipped and crept to the plain below. In this dump of loess was tunneled the cellar in which the bones were found. The loess is everywhere streaked with oxidized material, showing that it had been on the surface for a time and then covered. Near the bottom of the cave is a thin aqueous deposit. This was made before the loess came down upon it. The bones were found above this. The covering of the remains could have taken place within a century.

Dr. Becker asked questions as to the shells found. A small box containing half a dozen or more was passed around. So, too, were shown various photographs of the region, the cave, etc. Blackboard drawings were used to aid in showing the relations of river and hills.

The Association adjourned for dinner. The morning session had been full of interest and every moment was eagerly occupied.

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BOOKS, PHOTOS, CHARTS, FINDS

On the tables by the President were arranged a few dozen volumes of recent works on Anthropology and its kindred problems. Beside these lay also a collection of photographs of mounds in Johnson County. Maps locating some seventeen groups of these mounds, drawn to scale by Mrs. B. F. Shambaugh from data furnished by the Secretary's surveys, attracted much attention to local and Iowa problems. Around the room also hung several charts designed by the Secretary and illustrating the Science of Man in one or another phase. On another table were a score of stone implements, pottery, etc., found by Dr. Becker in mounds of Fayette County, Iowa. In the interims before and after the dinner hour the visitors improved the chance of examining these various exhibits.

ASSOCIATION DINNER

At 12:30 p. m. the Association and guests repaired to the Burkley Imperial Hotel across the street. Thirty-nine people participated in the banquet. The guests of the occasion were Professor W. J. McGee of St. Louis, President and Mrs. MacLean, Mrs. and Miss Stanley, Senator Maytag, and Representatives Jones and Weeks (the last three constituting the legislative committee visiting the State University).

After the dinner *President Calvin* in happy manner explained the gathering and then introduced President George E. MacLean, who gave the University's welcome to the Association in a brief but eloquent address.

President Calvin next introduced Professor McGee by an

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appreciative reference to his Iowa work and his great eminence in the sciences of Anthropology and Geology.

Professor McGee responded in terms most flattering to Iowans. He referred to the commanding political influence of two States—Maine and Iowa—a few years ago in the councils of the Nation. Later on Maine dropped out. Now it is Iowa. No other State is so influential to-day.

Anthropology grows out of several branches and all the sciences are contributing to it. Many sciences are concerned in natural phenomena, but these are all for human ends. Hence Anthropology is the science of the science makers.

Now there is no better place for its cultivation than in Iowa where such excellence of humanity is culminating. Anthropology deals with man in every aspect of life. It has its bearing on the farm, in society, with the father, the mother, the statesman, the tradesman, and with the student. I am pleased with your Association, with its strength, with its timeliness, and I wish it great success.

AFTERNOON SESSION

Called to order at 2:45. There were present at this session from fifty to sixty persons.

THE DAVENPORT ACADEMY

Mr. J. H. Paarmann, Vice-President of the Association and Curator of the Davenport Academy of Sciences, gave some account of the work of the Davenport Academy in the field of Anthropology. This is the culminating feature of the Academy.

It has an endowment for the publication of its papers. These are exchanged with other learned societies in all parts

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of the world. As they come in they are all indexed and catalogued. The bulk of them are Anthropological.

The Academy has a fine collection of Pottery, especially of the Southern Mound Builders. It has a good collection of stone implements and pipes from the Northern Mound Builders. These are of many varieties.

The Academy is coöperating with the public schools of Davenport. Teachers bring classes nearly every day. Last year over a thousand pupils had this advantage. The Curator gives short illustrated talks on peoples—Eskimo, Mound Builders, etc.—also on birds, sea-creatures, and other natural history subjects. He also meets the teachers for the purpose of aiding them in natural history teaching.

Discussion

Professor W. J. McGee also spoke on the work of the Davenport Academy, commending it for its practical efforts with the public schools and the city, and also for its very important researches. He referred especially to the tablets, which became so celebrated from the attack made on them and from the able defence by Mr. Putnam and others. These tablets are remarkable pictographs and drawings done by Mound Builders. They are of exceeding great interest. It is not yet settled whether they are pre-Columbian or not. There are some indications that they might have been done by iron, and if so by tools furnished by the White man. But they are Red men's work, and as such show his ideas and stage of development. If done with stone implements, they are perhaps still more wonderful.

To settle these matters and a hundred others we need to

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explore more mounds and get more objects and more facts to compare, and by these reach larger and more definite truths. We need to carry out the work of surveys already begun by the Academy and by Dr. D. J. H. Ward. We need to greatly increase the interest in these lines.

The Secretary made a few remarks regarding the Davenport Academy in former years. He called to mind the founders—Mr. and Mrs. Putnam, Professor Frederick Starr, and other former workers as Sheldon, Parry, Barris, Farquharson, Gass, Pratt, Preston, Harrison, and others. They were the pioneers of Anthropology in Iowa. Their work was good and full of fine results. We start with the advantages which it gave.

THE RELATION OF PHILOLOGY TO ANTHROPOLOGY

Professor George T. Flom took up this very difficult problem and treated it historically and critically, discussing chiefly some phases of the more formal side of Philology and showing how it is related to Anthropology and the way in which these formal phases throw light on questions of race and origins. The limits of the discussion were necessarily within European and Aryan languages, "for outside of this area, if we exclude Semitic, linguistic studies have not yet reached the stage where we can speak with scientific certainty."

The anthropological definition of man rests upon language. The essentially human attribute, the thing that distinguishes man from all other living creatures is the power of articulate speech. This definition is a more accurate dividing line than any other physical or mental trait. But articulate

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speech, while preëminently a mental trait is also to a large extent a physiological one. The true basis of linguistic study is phonetics. Phonetics is a physiological science. It is on the one hand a biological-anthropological subject and on the other a philological one.

To make clear the physiological side, Dr. Flom gave a brief but fundamental description of the physical basis of speech, entering into the analysis of the part played by the formation of the lips, teeth, larynx, etc. Articulate characteristics in various languages are thus easily explainable. For example, Latin is modified in Spain by physiological differences caused by climate and other environing influences. Deep laws explainable only through Anthropology are at work everywhere making linguistic changes. Anthropology and Philology may here be mutually helpful in the future.

Another formal side of Philology, linguistic structure, has proven a most important aid in determining social affinities and origins where other criteria have failed. The work begun a century ago and carried on with such fine results in the investigation of Aryan and Semitic peoples is a preëminent illustration.

Other problems touched upon were the Finnic question, (anthropologically and philologically), linguistic types as social criteria, the Aryan question, and the single or plural origin of languages. On the last named, Anthropologists generally derive all types from a primitive agglutinative speech, while Philologists generally have held that several absolute stock languages, developed in different quarters, are necessary assumptions.

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Discussion

Professor McGee spoke with great appreciation of the paper—its learning and the treatment of the subject. He then gave his own theory of the order of development in language. Language started at first in relatively few associative vocables. Then mutations clustered about these. The vocables finally broke down. Then discrete terms grew by purposive effort to express discrete ideas.

THE RELATION OF ANTHROPOLOGY TO SOCIOLOGY

Professor Loos stated that his idea of Anthropology was nearly expressed by the the term Anthropogeny. To him the Smithsonian Institution went too far. In made Anthropology include Ethnology and much more. No science should be too ambitious. Anthropology must not claim the earth. The men of Science and the men of Philosophy are coming over to each other. The tendency to-day is making for a larger fellowship.

The study of Anthropology and of Sociology affords a common meeting ground of all the sciences. They all have a human interest. Life will not be fully lived till education shall include an elementary knowledge of all the sciences. Science must show the way and Education must undertake the task of seeing the Universe as one.

The relations of Anthropology to Sociology center in the problems of man's origin and his primitive institutions. To understand social foundations we must go back to the life of early man. We must know what are the oldest forms of the collective life. This may be investigated in two ways: deductively, the method of Plato and Rousseau; or induct-

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ively, the method of the Sociologists especially since the time of Comte. Of course there were some attempts to develop social science inductively before Auguste Comte and Herbert Spencer. Aristotle was the first Baconian.

The interest of social science in the development theory has all the way been strong. Even the great trend of physical science in recent times got its *motif* from the moral and social sciences. Darwin was led to his work in Biology through the work of Malthus in Sociology.

In recent times Sociology has tarried too long in its contemplation of the lowest culture stages. These may in part, at least, be left to Anthropology defined as Anthropogeny. The assumption that the initial stages of human life persist in the present form of barbarism and savagery may be carried too far. It is subject to limitations. Bagehot has thrown doubt on it. Perhaps the savage has degenerated. To go backward is not necessarily to go down the same road one came up.

In the study as well as in the development of these sciences, the Anthropologist should do his work before the Sociologist. We must by induction go beyond the mere recorded history and the contemporaneous stages of society. We must correlate (1) the results of the physical sciences and get at the time and place of man on the Earth. Here the Sociologist joins hands with the Biologist and Geologist, all having a common meeting ground in Anthropology. And (2) we must find out when man became man, when man attained his distinctive characteristics as man, i. e., when man was created. In facing this problem the Sociologist accepts again the help of the Biologist but more especially

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of the Psychologist. Comparative Biology and Comparative Psychology are now working in the same direction in what we know as Embryology and Child Psychology.

History has for a long time been doing its best to pave the way for Sociology, but it has given us only a history of the formation of political groups. This is part of the preparation. It is good as far as it goes. But Sociology has other aspects and must have other helps.

Philology, Mythology, and Comparative Religion (or Eusebiogeny, to use Dr. D. J. H. Ward's aptly chosen term) are three other great aids. These serve Sociology rather than Anthropogeny, but all have much in common in their initial interest in man's early institutions.

With these various instruments—including Anthropology as above defined—the Sociologist continues the study of man and his societies in the higher cultural stages.

Discussion

Professor Nutting asked: "When did man become man?" He said the difficulty lay in the answer to the question: What is man? In the stream of life, where shall we divide and say, this is man? The gradation is too gradual. Only a theoretical definition or limit can be made.

Again, what is human? Here the same difficulties meet us. When we answer, we are on theoretical grounds.

Professor Loos replied that there are now Durham cows and fan-tail pigeons, even if we can not trace them all the way. And yet we can practically do this.

Professor McGee came forward as reconciler by stating that man was the only fire-using animal, and that this would

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answer the question asked by Professor Nutting. This is a peculiarity of the earliest man. To use fire is to be human in contradistinction to other life.

THE LESSONS OF ANTHROPOLOGY FOR EDUCATION

Professor F. E. Bolton approached this subject from the field of Pedagogy. Let us have Anthropology considered not only as a study of dead Indians, but as some exposition of present and future man. The evolution of man can not be understood without knowing present tendencies. To accomplish this we must study present day human beings of different races, different nationalities, and also the child as compared with the adult. Through Anthropometry and Child Study (and these are phases of Anthropology) this is being accomplished. The child is becoming the supreme thing in Education and is being studied genetically. By this means we shall be better able to shape his education toward ideals.

Education as science has been completely reconstructed in recent years. In 1891 the *American Journal of Psychology* had just begun. This was a frank attempt at the application of the scientific method in education. Since then a dozen others have come forward, and I now have to spend sixty-eight dollars a year for educational journals. The old education was a dry subject. It is more interesting now. Spencer says it is "complete living." Dewy says it is life, or "Life is education." Formerly as a science it was the study of methods of teaching the three R's. It has now extended to life. It is not longer centered in the pedagogical department. The whole University is working on it. So

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is the public school system. They are trying to make educational adjustments. And so is the modern periodical, especially of the magazine type.

Hence education reaches out into all domains of life. It looks to, it gleans from any and every source which have anything to offer toward better adjustment of life to environment. It includes all the means and all the ideals which are to be perpetuated from generation to generation. Education as a science now ranks with any of the liberal arts. It is as valuable for the lawyer, the doctor, and the business man as for the teacher. It is no longer a question of methods and devices, but a study of the interpretation of life and the means of its better development. To provide for the future, the past and the present must be studied and evaluated. This Anthropology is doing. Educational science must continually look to Anthropology not only for skull measurements, but for the genesis and meaning of psychic phenomena. Whence come and what mean fears, automatisms, various instincts, etc.? Hundreds of valuable anthropo-pedagogic studies have been made. Chamberlain's *The Child: a study in the Evolution of Man*, his *The Child and Childhood in Folk Thought*, and Groos' *The Play of Man*, are among the best examples.

Let me allude to one of the courses in our curriculum. One third of it is given to the Biology, one third to the Psychology and one third to the Sociology of the human being, in order to understand him and thereby be the better able to develop him. [Several charts showing the development of the nerve and brain systems were introduced]. The law of use was applied to show how it has evolved them. Use is Nature's method, her pedagogical law.

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From use we get to heredity at once. This brings up the theories and the attempts at explanation. Is Lamarck or Weismann right?

Next, it is necessary to ask, what is the effect of the different studies on brain development? How and to what extent do they help life?

Then comes the question of instinct. What is it? When is it begun? When is it most susceptible of influence? Education should seize an instinct when it is nascent. Otherwise it is arrested in its development. This is true in mental and moral as in physiological development. On this Anthropology will throw much light. The study of the evolution of the human race is of vast importance. The theory of Recapitulation (though often overdone) is of utmost import. (Professor Dewey is now working out a new system of Education on the basis of human evolution).

Then comes the question of the order of the studies. We have run into ruts. We are just beginning to see with Locke that all knowledge must take its rise in the senses. Those born blind never know and never dream of white, red, etc. Of these they can have no real knowledge. The study of defectives has taught us much. The methods by which Laura Bridgman and Helen Keller have gotten knowledge have shown us that we should not give the child abstractions first. He should first get the concrete form from which later to draw the abstract. In his early education he should be gaining experience at first hand, and I should emphasize the word hand. Before the days of schools this was the way he learned. Then we became bookish and crowded together in cities. Now hand experience is dear and scarce. We have to pay for it in manual training classes.

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Again, as between the senses, oral instruction is first. It is an earlier sense, and the consciousness is best awakened through it in the early stages. This we learn from Anthropology and Biology.

THE RELATION OF ANTHROPOLOGICAL WORK TO IOWA HISTORY

Professor B. F. Shambaugh spoke briefly and concisely as follows:—From the preceding papers and discussion it appears that Anthropology now occupies a central position in science. Some of the sciences lead up to Anthropology; others start out from Anthropology.

From the view point of logical arrangement the introductory or preliminary chapter in Iowa history deals with geological and geographical considerations. But the first chapter proper in Iowa history is ethnological in its character—it deals with the people. First, it deals with the prehistoric peoples; then it considers the white settlers and the emigrants. For the study of the earliest inhabitants Anthropology is a most valuable instrument. In the study of later inhabitants—their race characteristics, their customs, their institutions, their language, their religions, their ideals, etc., —Anthropology is able to render the greatest of service.

We have talked much about Anthropology, now let us go to work. Let us look up the archæological remains of extinct races in Iowa: Let us survey the mounds and prehistoric works of the State. Let us learn the character and type of the peoples who have been here. Let us look up the remnants of the Indian tribes still extant, and learn from them the story of their peoples. And it is high time to make organization effective in accomplishing this most im-

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portant work. If we do not undertake the work soon, some of our neighbors will do it for us and rob our State of all valuable anthropological material. Already neighboring societies have been at work and are planning further invasions.

THE BUSINESS MEETING

The afternoon session adjourned at 4:45. After a short social recess, the Association was called to order by the President for business purposes.

An invitation from the Davenport Academy of Sciences was extended by Vice-President Paarmann for the Association to hold its next yearly meeting in Davenport.

After some discussion it was

Voted, That the time and place of holding the next yearly meeting shall be left with the Executive Board.

The report of the Nominating Committee was presented by the chairman, Professor Nutting. He stated that it was the opinion of the Committee that the same officers should proceed with the work for the coming year inasmuch as the organization had been so recently completed. As the President, however, was unable to serve, the Committee placed in nomination Professor I. A. Loos for that office, and for the remaining officers the names as they now stand.

Voted, That the report of the Committee be accepted.

Voted, That the officers for the ensuing year be as follows:—

President, Isaac A. Loos; Vice-President, J. H. Paarmann; Secretary, Duren J. H. Ward; Treasurer, Frederick E. Bolton; Executive Board (additional), Frederick J. Becker,

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Harry G. Plum, Joseph W. Rich, Benjamin F. Shambaugh, Arthur G. Smith.

Voted, That the dues that have been paid thus far be the dues payable to the Association for the year ending with the next yearly meeting.

The following resolutions were offered by Professor Loos, seconded by Professor Shambaugh, and adopted by the Association:—

Resolved: (1) That we heartily endorse the project of an Anthropological Survey of Iowa begun by Dr. D. J. H. Ward during the past several months; (2) That we empower the Executive Board to make provisions for carrying forward this work inaugurated by Dr. Ward, as well as other lines of Anthropological work which may commend themselves to the Board.

Professor McGee spoke of the great aid given to American Archæology by the United States Geological Survey, and asked whether it would not be possible for the State Geological Survey to render much assistance to the Association in this phase of its work.

Professor Calvin replied, as Chief of the State Geological Survey, that it would be possible and would add no appreciable burden to the Geologists to help locate the mounds and earthworks of the State in those regions where the work was yet unfinished.

Corroborative and encouraging remarks were made by Professors Loos, Nutting, and Shambaugh.

The Secretary spoke of the outside demand for more meetings. He gave the experience and practice of the Anthropological Association at New Haven, Conn., and of the

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Ohio Archæological Association. He suggested that the Executive Board should arrange for meetings whenever papers, suitable exhibits or addresses shall be available. Various individuals expressed their concurrence. Inasmuch as this is constitutionally within the province of the Executive Board the matter was left with the general approval without vote.

Voted, To adjourn until the evening session at eight o'clock.

EVENING SESSION

This was a general public meeting in the Assembly Room of the Hall of Liberal Arts. Two hundred people were present.

President Calvin introduced the speaker of the occasion by most commendatory remarks on Professor McGee's earlier work in the study of the physiography of Iowa and of the mounds in the Northeastern part of the State.

Professor W. J. McGee chose for his subject "Three Stages of Human Progress—Fire, Knife, and Wheel."

From the answers to the question, *Why?* have arisen all the sciences.

As applied to man, the answers to the question, *What?* are found in the branches which relate to the structure of the individual man, viz., Somatology and Psychology. Ethnography and Anthropology reply to the question, *Where?* and *How?* is told by those sciences which treat of the relations between individuals and groups, viz., by Ethnology and Sociology. *Whence-Whither?* is responded to by the doctrine of Evolution and by Archæology and Philosophy. For the promotion of Archæology—and to

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some extent of the others—various institutions have been lately developed. Examples are: the Bureau of Ethnology, American Institute of Archæology, Davenport Academy of Sciences, the American Anthropological Association, and lastly the Iowa Anthropological Association.

Archæology shows that the course of human development has been one of progress. No generation is the duplicate of the one before. Each is the summation of all before—and something more. The procession of the generations is from lower to higher, from weaker to stronger.

But the various stages of progress were not inventions in our sense of the term. In all the early stages man thinks slowly, in accordance with and following after his doing.

The three greatest stages are: (1) The conquest of fire. All human beings use fire. No animal does. Man is the fire-using animal. Man was revolutionized more by the first use of fire than by steam. (2) The conquest of the wheel. It seems to have begun in a game. A disk was rolled in a path. Young warriors cast darts at it with a view to turning it over. Here was a contest between the two potencies or deities which each adored. Which of the two was more powerful? The effort and excitement were an invocation to the best. Nor did the contest end with the game. Sometimes the stone disk was ring-formed. Then the object was to shoot through it. Sometimes it was of wood. It was always treasured, often carried. When the savage was exhausted by thirst or otherwise, if he could kick it forward and get up to it, it would at last bring him to water or safety. By and by heavy burdens were put on it and it rolled them on—beams and things too heavy to carry.

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There was always the fiducial motive. It was not a device. If not at first round, it was worn by use to a cylinder form. Success increased the faith, and thereby the use. Finally the cylinder was modified by cutting out the center a little. This form is found yet in the East. It had many steps in the development. Here is the incipient axle with two wheels. By and by the fiducial motive dropped into the background and the ingenuity was more prominent. At the start there is no specialization. Each object is used for a great variety of purposes. (3) The knife at first was a natural stone. Primitive tribes have no special knife-sense such as we have. Compare also our now-developed watch-sense. Only very gradually does man come to realize special uses. An example of this was seen in the Mexican Seri Indian who ate from the large mass of dried horse flesh by holding it to his mouth instead of cutting it off with the machette which he had in his belt. Even if their implements are improved by accident, they do not see the new uses, but throw them away as did the Mexican woman her disk (with great ceremoney) when by accidental breaking it was made into an ax!

The arrow, harpoon, and fire-stick are three forms of the knife among primitive peoples. The same idea of potencies here coming from animal deities, is at the root of their use. Here, as in the wheel, there is primarily the mystical, devotional feeling.

Now, to go back to the first, fire is thought of as a creature. It is a life. Its production is not a mechanical process, but a vital one. There are many ways of getting it. The study of these show why in this way and why in that. Again, it is fed with favorite foods. So too it is punished with water, etc.

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Everywhere the dark unknown is dreaded by the primitive man. All his deities show this in their character. All of them are evil because of this. The way upward has been long and painfully slow. The slowness shows us how important were those early stages. They have all been shaped by beliefs, and each belief has given way to newer, better beliefs. The dread is mostly gone. Intent to better is now dominant. The larger fiduciary trust has supplanted the hesitant fear.

Here ended the First Yearly Meeting of the Iowa Anthropological Association, of which the above is a condensed report.

Respectfully submitted

DUREN J. H. WARD

Secretary

IOWA ANTHROPOLOGICAL ASSOCIATION
IOWA CITY

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MAPS ILLUSTRATIVE OF THE BOUNDARY HISTORY OF IOWA

The following maps were compiled to illustrate certain leading facts in what may be termed the boundary history of Iowa. It is not, however, intended to discuss in this connection the history of boundary changes. And yet a general review of some of the main points in that history is necessary to the proper understanding of the boundaries illustrated by the maps which are here published for the first time.

It is of course well understood that Iowa was carved out of what was earlier known as the Province of Louisiana. In 1803 this Province was acquired by the United States. Its boundaries were at that time not definitely described; but it certainly included all of what came to be known later on as the Iowa country. Before and at the time of its purchase by the United States, the Province of Louisiana was divided for administrative purposes into Upper Louisiana and Lower Louisiana. The former was turned over to the United States in December, 1803, while the latter was not formally taken possession of until March, 1804.

By the act of March 26, 1804, Congress divided the whole Province of Louisiana into the Territory of Orleans and the District of Louisiana.[1] The Territory of Orleans comprised the country which was afterwards erected into the State of Louisiana. The District of Louisiana was more extensive

[1] *U. S. Statutes at Large*, Vol. II, p. 283.

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and included all of the remaining parts of the newly acquired country. The former was constituted a separate and independent Territory; but the latter was placed under the jurisdiction of the Governor and Judges of the Territory of Indiana. (See map I for the boundaries of the Territory of Indiana at this time). It should be remembered that the area of the future Iowa was a part of the District of Louisiana.

By the act of March 3, 1805, Congress changed the name of the District of Louisiana to the Territory of Louisiana, and provided for the organization of the same as a separate Territory.[1] No changes, however, were made in the boundaries. Again in 1812, by the act of June 4, Congress reorganized the Territory of Louisiana under the name of the Territory of Missouri.[2] The boundaries of the Territory of Missouri were the same as those of the Territory of Louisiana. In 1819 the Territory of Arkansas was carved out of the Territory of Missouri.[3] But the area out of which Iowa was in time to be carved remained a part of the Territory of Missouri until the State of Missouri was admitted into the Union in 1821. Then all of the Missouri country not included in the new State was left without a local constitutional status until 1834.[4]

Congress, by the act of June 28, 1834, provided for the enlargement of the Territory of Michigan as follows:—

All that part of the territory of the United States bounded on the east by the Mississippi river, on the south by the state of Missouri,

[1] *U. S. Statutes at Large*, Vol. II, p. 331.
[2] *U. S. Statutes at Large*, Vol. II, p. 743.
[3] *U. S. Statutes at Large*, Vol. III, p. 493.
[4] Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. I, p. 45.

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and a line drawn due west from the north-west corner of said state to the Missouri river; on the south-west and west by the Missouri river and the White Earth river, falling into the same; and on the north, by the northern boundary of the United States, shall be, and hereby is, for the purpose of temporary government, attached to, and made a part of, the territory of Michigan, and the inhabitants therein shall be entitled to the same privileges and immunities, and be subject to the same laws, rules, and regulations, in all respects, as the other citizens of Michigan territory.[1]

(See Map I for the Territory of Michigan as enlarged by this act of Congress).

Steps having been taken for the admission of the State of Michigan into the Union, Congress, by the act of April 20, 1836, established the original Territory of Wisconsin with the following boundaries:—

Bounded on the east, by a line drawn from the north-east corner of the State of Illinois, through the middle of Lake Michigan, to a point in the middle of said lake, and opposite the main channel of Green Bay, and through said channel and Green Bay to the mouth of the Menomonie river; thence through the middle of the main channel of said river, to that head of said river nearest to the Lake of the Desert; thence in a direct line, to the middle of said lake; thence through the middle of the main channel of the Montreal river, to its mouth; thence with a direct line across Lake Superior, to where the territorial line of the United States last touches said lake north-west; thence on the north, with the said territorial line, to the White-earth river; on the west, by a line from the said boundary line following down the middle of the main channel of White-earth river, to the Missouri river, and down the middle of the main channel of the Missouri river to a point due west from the northwest corner of the State of Missouri; and on the south, from

[1] *U. S. Statutes at Large*, Vol. IV, p. 701.

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said point, due east to the northwest corner of the State of Missouri; and thence with the boundaries of the States of Missouri and Illinois, as already fixed by acts of Congress.[1]

(See Map II for the boundaries of the Territory of Wisconsin from 1836 to 1838).

Owing to the rapid increase in the population of that part of the Territory of Wisconsin which lay west of the Mississippi, the separate Territory of Iowa was established by the act of Congress of June 12, 1838, with boundaries as follows:—

All that part of the present Territory of Wisconsin which lies west of the Mississippi river, and west of a line drawn due north from the head waters or sources of the Mississippi to the territorial line, shall, for the purposes of temporary government, be and constitute a separate Territorial Government by the name of Iowa.[2]

Probably the most interesting phase of the boundary history of Iowa is that connected with the definition of boundaries for the State at the time of its admission into the Union. The boundaries first proposed have come to be known as the *Lucas Boundaries.* They were adopted by the Constitutional Convention of 1844 and incorporated into the Constitution of 1844. They were originally suggested by Robert Lucas, the first Governor of the Territory of Iowa,[3] and were generally acceptable to the people. Their definition in the Constitution of 1844 is as follows:—

Beginning in the middle of the main channel of the Mississippi river opposite the mouth of the Des Moines river; thence up the said river Des Moines in the middle of the main channel thereof, to

[1] *U. S. Statutes at Large*, Vol. V, p. 10.
[2] *U. S. Statutes at Large*, Vol. V, p. 235.
[3] Shambaugh's *History of the Constitutions of Iowa*, p. 235.

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a point where it is intersected by the Old Indian Boundary line, or line run by John C. Sullivan in the year 1816; thence westwardly along said line to the "Old North-west corner of Missouri;" thence due west to the middle of the main channel of the Missouri river; thence up in the middle of the main channel of the river last mentioned to the mouth of the Sioux or Calumet river; thence in a direct line to the middle of the main channel of the St. Peters river, where the Watonwan river (according to Nicollet's map) enters the same; thence down the middle of the main channel of said river to the middle of the main channel of the Mississippi river; thence down the middle of the main channel of said river, to the place of beginning.[1]

(See Map III for the Lucas Boundaries).

Congress, however, did not favor the *Lucas Boundaries* and proposed instead to admit Iowa into the Union with the so-called *Nicollet Boundaries* which were as follows:—

Beginning at the mouth of the Des Moines river, at the middle of the Mississippi, thence by the middle of the channel of that river to a parallel of latitude passing through the mouth of the Mankato, or Blue-Earth river, thence west along the said parallel of latitude to a point where it is intersected by a meridian line, seventeen degrees and thirty minutes west of the meridian of Washington city, thence due south to the northern boundary line of the State of Missouri, thence eastwardly following that boundary to the point at which the same intersects the Des Moines river, thence by the middle of the channel of that river to the place of beginning.[2]

It will be interesting to note briefly the discussion in the House of Representatives which led to the adoption of the *Nicollet Boundaries.*

In the bill for admission, as reported by the House Com-

[1] *Journal of the Constitutional Convention of 1844*, p. 187.
[2] *U. S. Statutes at Large*, Vol. V, p. 742.

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mittee on Territories, the boundaries asked for by the Iowa Convention in the Constitution submitted by them were retained without alteration. But Mr. Duncan, of Ohio, had other limits to propose. He preferred the *Nicollet Boundaries* because (1) they were "the boundaries of nature" and (2) at the same time they left sufficient territory for the formation of two other States in that Western country.

On the other hand, Mr. Brown, Chairman of the Committee on Territories, said that the question of boundaries had been carefully investigated by his Committee, "and the conclusion to which they had come was to adhere to the boundary asked for by the people of Iowa, who were there, and who had settled the country, and whose voice should be listened to in the matter."

Mr. Vinton, of Ohio, was the most vigorous champion of the Duncan amendment. He stood out firmly for a reduction of the boundaries proposed by the Iowa Convention because the country to the North and West of the new State, "from which two other States ought to be formed," would be left in a very inconvenient shape, and because of the formation of such large States would deprive the West of "its due share of power in the Senate of the United States."

Mr. Vinton was "particularly anxious that a State of unsuitable extent should not be made in that part of the Western country, in consequence of the unwise and mistaken policy towards that section of the Union which has hitherto prevailed in forming Western States, by which the great valley of the Mississippi has been deprived, and irrevocably so, of its due share in the legislation of the country." As an equitable compensation to the West for this injustice he

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would make "a series of small States" on the West bank of the Mississippi.

The arguments for restriction prevailed, and the Duncan amendment, which proposed to substitute the *Nicollet Boundaries* for the *Lucas Boundaries*, passed the House of Representatives by a vote of ninety-one to forty.

(See Map IV for the Nicollet Boundaries).

Unwilling to accept the *Nicollet Boundaries* which were proposed by Congress, the people of Iowa twice rejected the Constitution of 1844.[1] In 1846 a second Constitutional Convention met at Iowa City. The members at first resolved to stand by the *Lucas Boundaries* as defined in the Constitution of 1844.[2] Congress was inclined to make concessions. Finally the Committee on Territories in the House of Representatives proposed the following compromise boundaries[3] which were accepted by the Constitutional Convention of 1846:—

Beginning in the middle of the main channel of the Mississippi River, at a point due east of the middle of the mouth of the main channel of the Des Moines River; thence up the middle of the main channel of the said Des Moines River, to a point on said river where the northern boundary line of the State of Missouri, as established by the constitution of that State, adopted June twelfth, eighteen hundred and twenty, crosses the said middle of the main channel of the said Des Moines River; thence, westwardly, along the said northern boundary line of the State of Missouri, as established at the time aforesaid, until an extension of said line intersects the middle of the main channel of the Missouri River; thence up the middle of the main channel of the said Missouri River, to a point opposite

[1] Shambaugh's *History of the Constitutions of Iowa*, pp. 256–284.
[2] *Journal of the Constitutional Convention of 1846*, p. 28.
[3] Shambaugh's *History of the Constitutions of Iowa*, pp. 306–317.

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the middle of the main channel of the Big Sioux River, according to Nicollet's map; thence, up the main channel of the said Big Sioux River, according to said map, until it is intersected by the parallel of forty-three degrees and thirty minutes north latitude; thence east, along said parallel of forty-three degrees and thirty minutes, until said parallel intersects the middle of the main channel of the Mississippi River; thence, down the middle of the main channel of said Mississippi River, to the place of beginning.[1]

These are the present boundaries of the State of Iowa. Their precise definition is the work of the Constitutional Convention of 1846, although they were originally suggested by the Committee on Territories in the House of Representatives.[2]

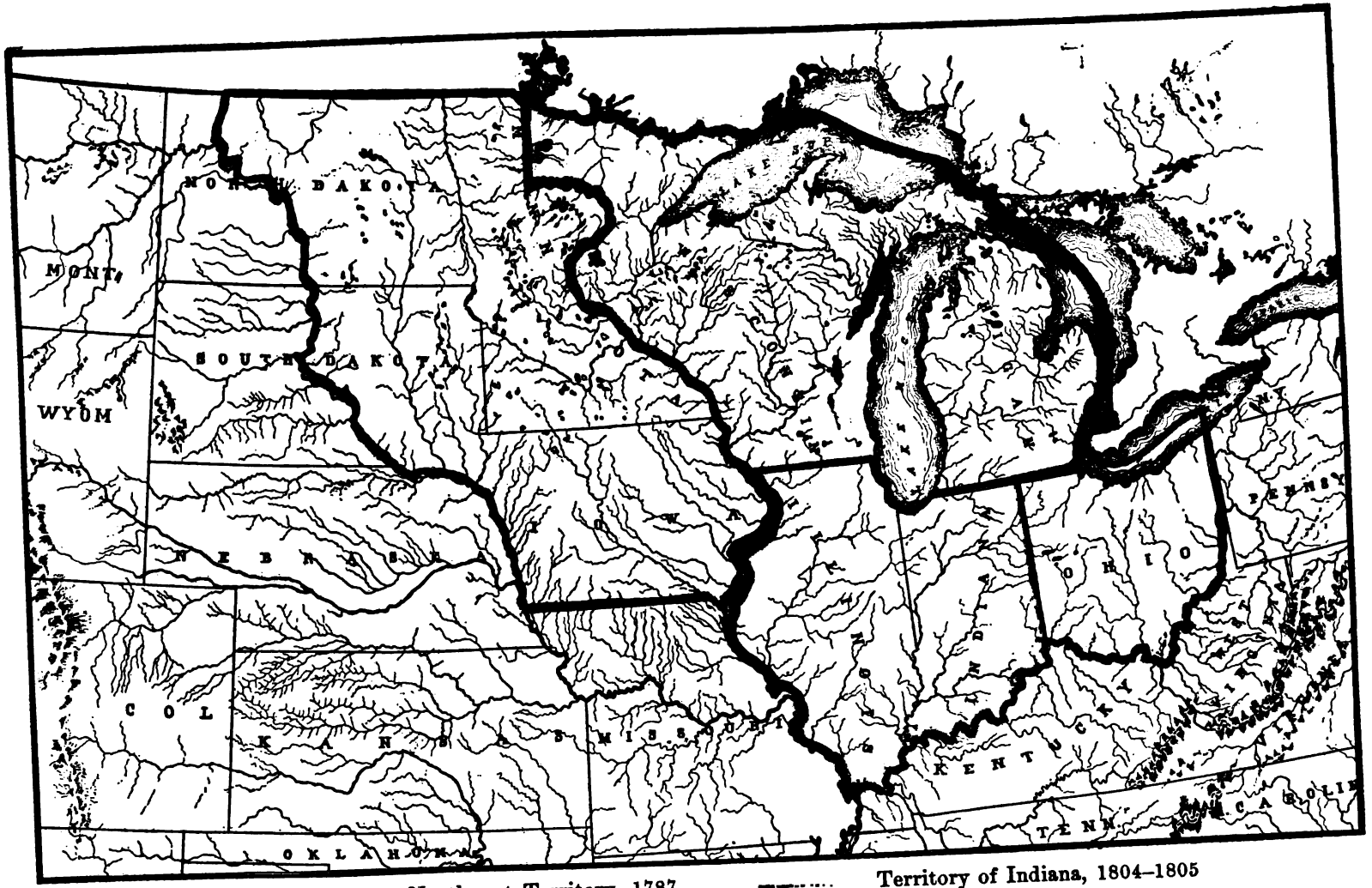
The original maps from which the following cuts are taken, were made by Bertha H. Shambaugh for the Department of Political Science of the State University of Iowa. In order to bring out more clearly the ideas of the men who took part in defining the boundaries of the State of Iowa, the two maps illustrative of the *Lucas Boundaries* and the *Nicollet Boundaries*, respectively, were copied from Nicollet's map which was the one generally used and referred to at the time. For a full treatment of the boundary dispute of 1844–1846 the reader is referred to chapters XIII, XIV, and XVII of the writer's *History of the Constitutions of Iowa.*

BENJ. F. SHAMBAUGH

THE STATE UNIVERSITY OF IOWA
IOWA CITY

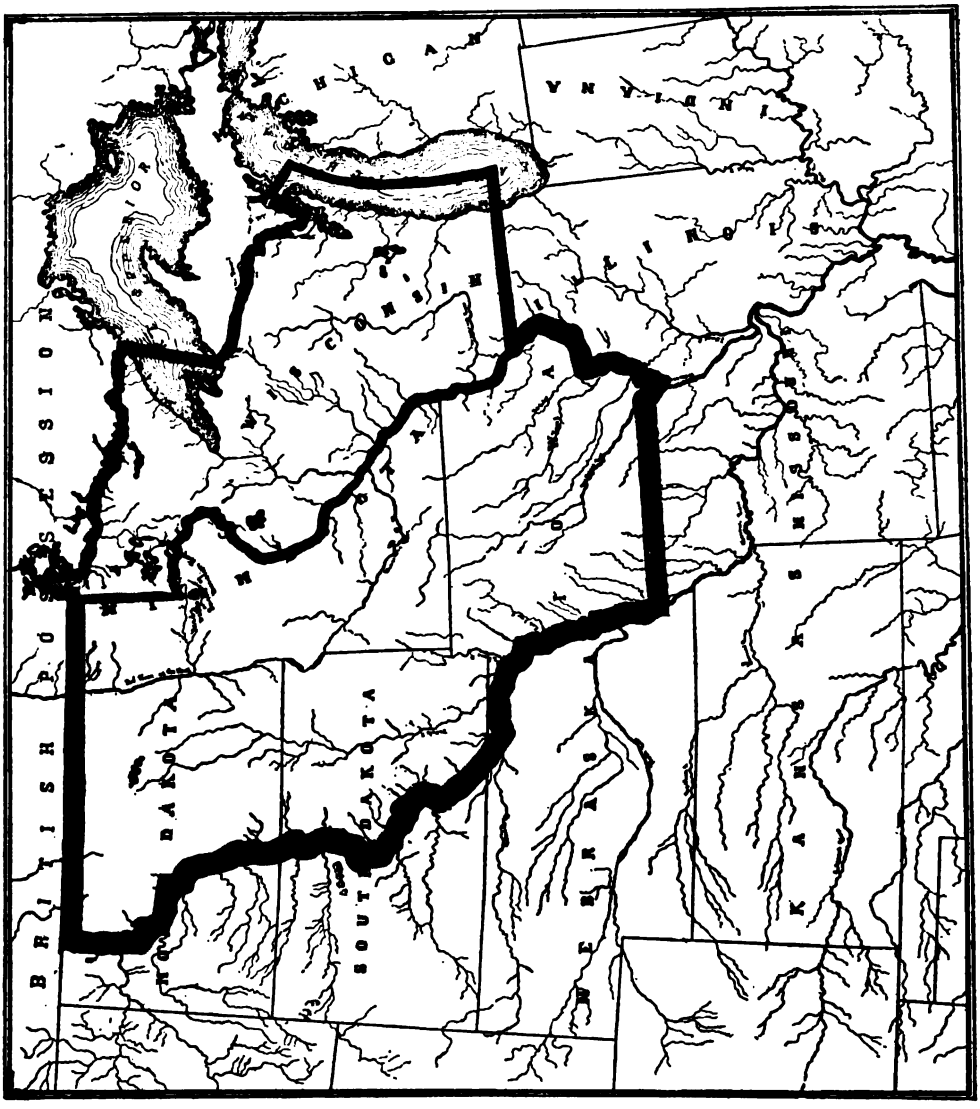
[1] *U. S. Statutes at Large*, Vol. IX, p. 52.
[2] Stephen A. Douglas was chairman of the committee at this time.

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MAP I. ——— Northwest Territory, 1787 ——·—·—· Territory of Indiana, 1804–1805
——— Territory of Michigan, 1834–1836

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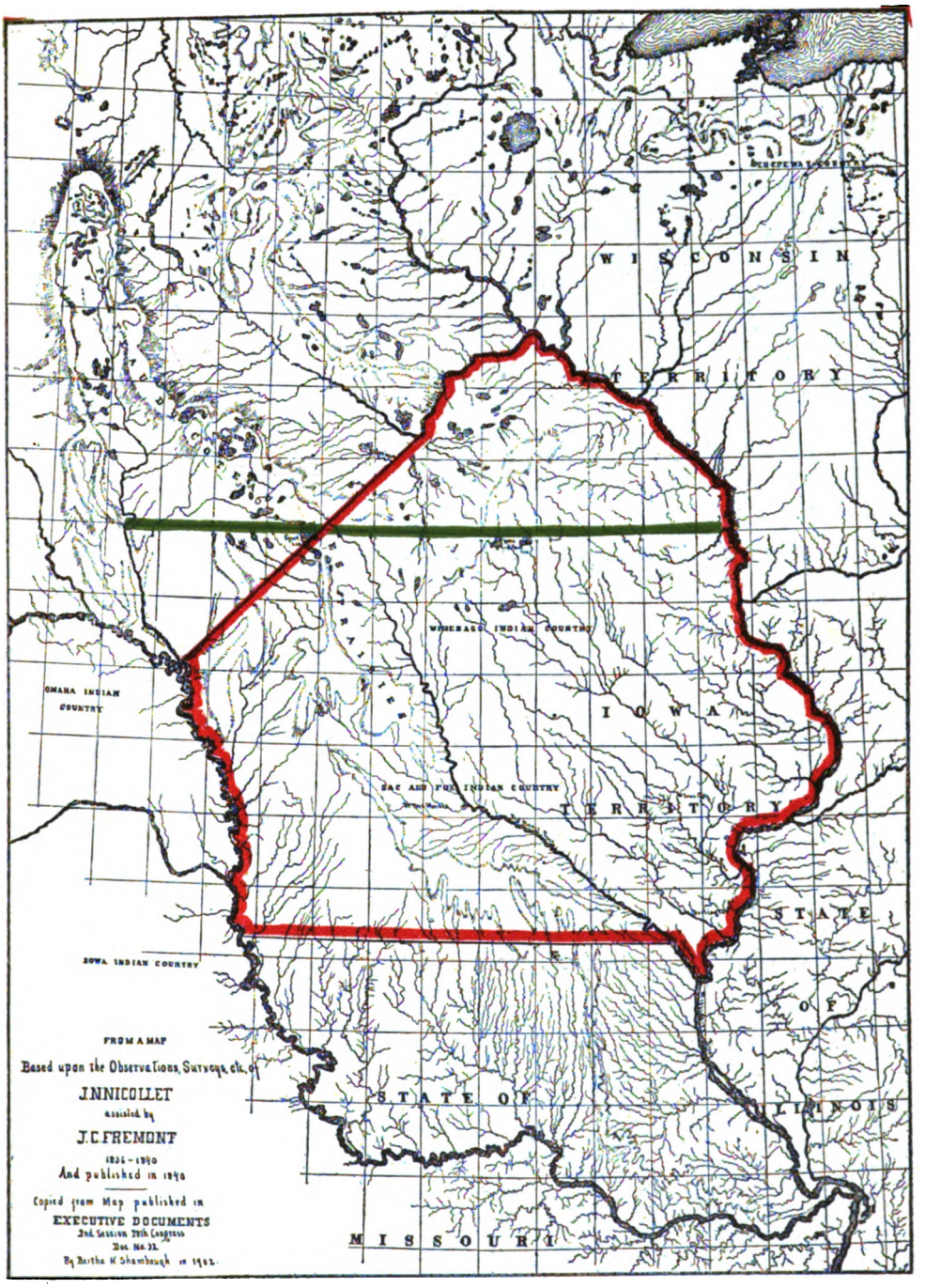


MAP II. ILLUSTRATIVE OF THE BOUNDARIES OF THE ORIGINAL TERRITORY OF WISCONSIN AND THE SEPARATE TERRITORY OF IOWA

Territory of Wisconsin, 1836–1838

Territory of Iowa, 1838–1846

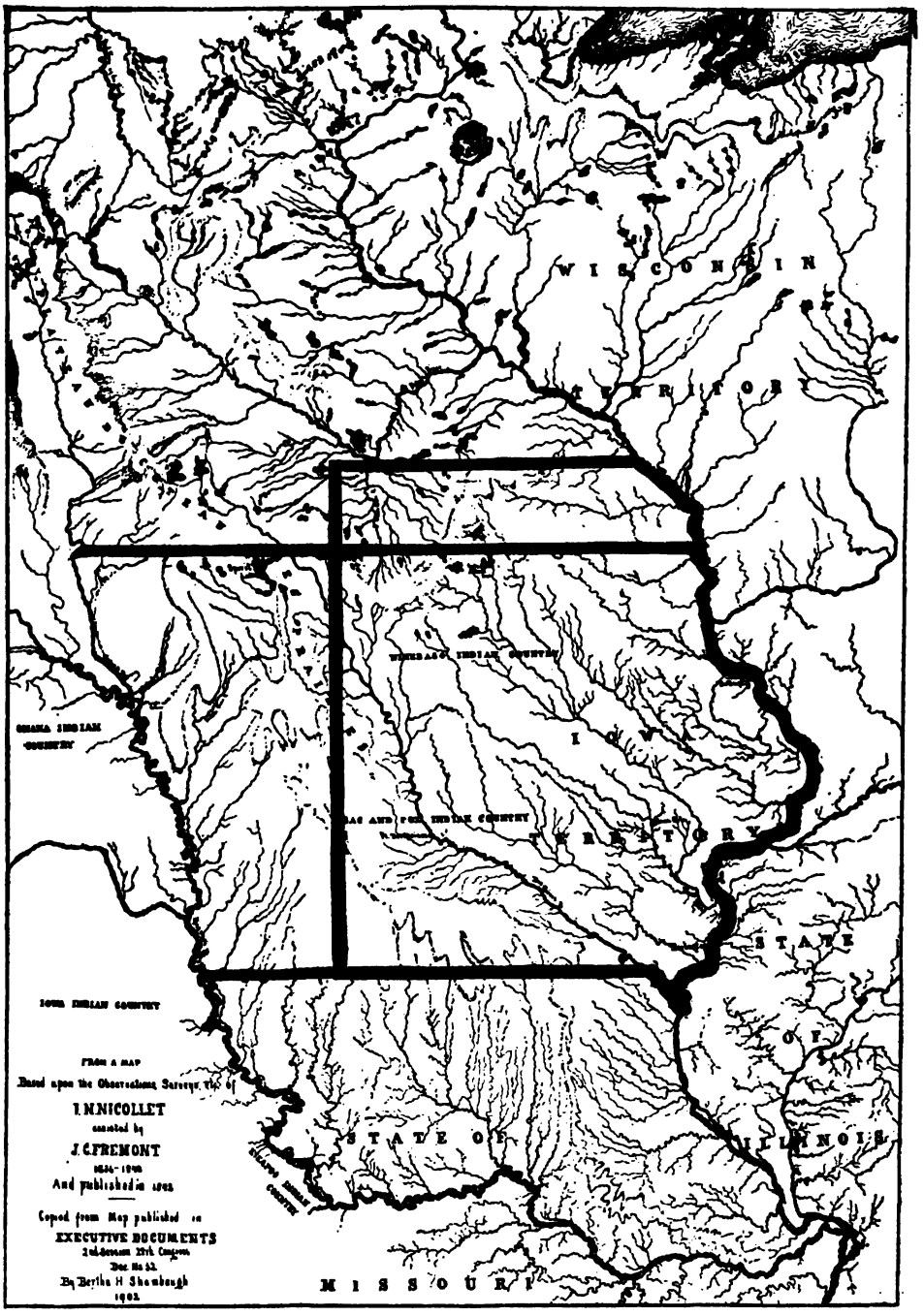
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Map III. Illustrative of the Lucas Boundaries

Lucas Boundaries **Present Boundaries**

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MAP IV. ILLUSTRATIVE OF THE NICOLLET BOUNDARIES

Nicollet Boundaries — Present Boundaries

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SOME PHASES OF CORPORATE REGULATION IN THE TERRITORY OF IOWA

The growth and influence of corporations and of corporate interests in recent years have stimulated an increased interest in the study of corporation laws. Comparative study has already shown that our corporation law—a common inheritance—has been so modified by statutory enactments in the several States that to-day the lack of uniformity in the legislation of the States is considered one of the chief causes of corporate evils. In this article it is my purpose to trace the development of some phases of the law of corporations in early Iowa as inherited from the Northwest Territory, the Territory of Michigan, and the Territory of Wisconsin, and as modified by subsequent legislation in Iowa during the territorial period from 1838 to 1846.

By the provisions of the Ordinance of the Northwest Territory the Governor and Judges, or a majority of them, were empowered to adopt and publish in the district such laws, criminal and civil, of the original States as might be necessary and best suited to the circumstances of the district. Laws so adopted were to be in force until the organization of a General Assembly within the Territory unless disapproved by Congress. After the organization of the legislative body the Governor, the Legislative Council and the House of Representatives had power "to make laws in all cases" for the good government of the district not repugnant to the principles and articles of the Ordinance itself. Un-

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der this authority Winthrop Sargent, Secretary of the Territory and acting as Governor, John Cleves Symes, and George Turner, Judges, adopted in 1792 "An act granting licenses to merchants, traders, and tavern keepers."[1] This appears to have been the first act passed in the Northwest Territory for the regulation of trade. It cannot in any sense be said to be a law authorizing the organization of corporations, but aimed simply to compel persons or firms engaged in handling foreign merchandise to pay a license fee for the privilege of selling the same in the Territory. The act, however, applied to corporations as well as to individuals. It was in the nature of a tariff and was, perhaps, aimed at the British from the north.

Section one of this act provides "that if any person or persons shall presume to set up or open a store for the sale of merchandise consisting of dry goods, or articles in the grocery line, which are not of the growth production or manufacture of some part of the United States or of one of their territories or shall presume to expose directly or indirectly any such articles or things for sale without first being licensed he, she, or they shall forfeit and pay," etc. The second section provides for the creation of the office of "commissioner for granting licenses"; and in each community the commissioner was given authority to grant licenses for one year from date "to any and every person, mercantile house or firm applying for the same for the purpose of opening a store or of exposing goods or other articles to sale." An interesting part of this section is the provision that "each and every person mercantile

[1] *Chase's Statutes of Ohio*, Vol. I, p. 114.

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house or firm, suing out license as aforesaid shall cause to be set upon some conspicuous part of the front and outside next the street of his store, shop, or place of sales for the information of the public a board or sign on which shall be written in large fair letters 'by authority a licensed store.'" This provision requiring the display of the business name conspicuously before the office or place of business is found in the laws of several of our States at the present time, notably in those of New Jersey.[1] This provision also appears in the English Companies Act of 1862. It is probable that the origin of such provisions dates back much earlier than 1789. In many States of the American Union corporations are required to add to the corporate name the word corporation, company, incorporated, or limited, to designate the fact of incorporation.

In 1798 the Governor and Judges of the Northwest Territory enacted a law entitled "A law to confer on certain associations of the citizens of this territory the powers and immunities of corporations, or bodies politic in law."[2] This was simply a general law for the incorporation of "religious charitable literary or other civil purposes for the promotion of social happiness and good order." Laudable as the object stated here may seem to be, this act was repealed at the first session of the first General Assembly of the Northwest Territory in 1799.[3] I am unable to find any reason for its repeal, but it is possible that its repeal was dictated by the feeling on the part of the General Assembly that the power

[1] See *General Corporation Act of New Jersey*, 4th Edition, 1902, Sec. 45, p. 71.

[2] *Chase's Statutes of Ohio*, Vol. I, p. 204.

[3] "An act repealing certain laws, and parts of laws."—*Chase's Statutes of Ohio*, Vol. I, p. 216.

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to incorporate rested solely with the legislative body. For this was the policy of all the State governments until comparatively recent times.

In 1800, before the organization of Ohio into a Commonwealth, the Northwest Territory was divided and the Territory of Indiana was established, and the act making the division provided that the Ordinance of 1787 and the laws of the Northwest Territory should apply to it.[1] In 1805 the Territory of Indiana was divided and the Territory of Michigan was established.[2] The new Territory of Michigan inherited the acts of the Parliament of Great Britain, the laws adopted and made by the Governor and Judges of the Northwest Territory and by its General Assembly, and the laws adopted and made by the Governor and Judges of the Territory of Indiana. In 1810 the Governor and Judges of the Territory of Michigan repealed all of these laws[3] because "said laws do not exist of record or in manuscript in this country and are also out of print, as well as intermingled with a multiplicity of laws which do not concern or apply to this country and it has been thought advisable by the governor and judges of the territory of Michigan, heretofore specially to re-enact such of the said laws as appear worthy of adoption and, hereafter also re-enact such of the said laws as shall appear worthy of adoption." Thus Michigan proposed to begin her political career unfettered by inherited law, tradition, or custom as far as possible.

Iowa, though forming a part of the Louisiana Purchase

[1] *U. S. Statutes at Large*, Vol. II, p. 58.

[2] *U. S. Statutes at Large*, Vol. II, p. 309.

[3] *Laws of the Territory of Michigan*, Vol. I, p. 900.

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and at one time a part of the Territory of Missouri, had not yet been opened for settlement at the time of the admission of Missouri into the Union in 1821. Nor was any provision made for the government of that great tract of territory which lay to the north and west of Missouri. But the territory in which Iowa was included was attached to and made a part of the Territory of Michigan in 1834 for the purposes of temporary government.[1] The act of attachment provided that the inhabitants of this territory should be "entitled to the same privileges and immunities, and be subject to the same laws, rules, and regulations, in all respects, as the other citizens of Michigan Territory." Thus the first authority for the organization of corporations in Iowa, after it had been opened to settlement, was under territorial laws of Michigan. We have plenty of evidence that corporations did operate in Iowa prior to 1834. These, however, were almost exclusively trading companies which did not derive their authority from the government of the Territory.

The Governor and Judges of the Territory of Michigan under the authority of the Ordinance of 1787 and the act creating the Territory enacted laws for the Territory of Michigan until 1823. Among these laws were several charters of incorporation and in 1821 "An Act to confer on certain Associations, the powers and immunities of Corporations or Bodies Politic in law."[2] The purposes of this act, like the one adopted in the Northwest Territory in 1798, were limited to scientific, literary, charitable, or religious societies, and does not, therefore, concern us in this connec-

[1] *U. S. Statutes at Large*, Vol. IV, p. 701.

[2] *Laws of the Territory of Michigan*, Vol. I, p. 870.

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tion. In 1824 the Governor and Legislative Council of the Territory of Michigan passed "An Act relative to turnpike companies."[1] This was not a general law for the incorporation of such companies but merely provided for the method of organization and control of such as might "hereafter be incorporated by act of the Legislature."

On the face of it this act seems to be general in its nature for it provides in great detail for the organization and management of turnpike companies. However, another act was passed on the same day entitled "An Act to incorporate the Pontiac and Paint Creek Turnpike Company."[2] This act gave the names of the corporators, designated the line of road to be built, gave a name to the incorporators and created them a body corporate and politic, limited the property of the company to that necessary for its legitimate purposes, divided the stock of the company into 800 shares of $25 each, appointed commissioners to receive subscriptions, provided for the erection of gates and the collection of tolls, etc. The frequent reference made to the "act relative to turnpike companies" shows conclusively that the said act was not looked upon as a general law for the incorporation of such companies but simply as a means of simplifying the legislative work in passing special acts of incorporation.

Numerous other acts of incorporation were passed up to the time of the organization of the Territory of Wisconsin. None of these, however, partake of the nature of general laws.

In April, 1836, the Territory of Wisconsin was established

[1] *Laws of the Territory of Michigan*, Vol. II, p. 202.

[2] *Ibid*, p. 212.

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as a separate Territory,[1] and in November of the same year the Legislative Assembly was already busy legislating for the new Territory. Among the laws passed were numerous acts of incorporation, all of which were special acts. With the exception of several mining companies most of the corporations thus created were public service corporations, such as banks, railroads, etc., or they were religious, charitable, and educational institutions.

In January, 1838, the legislature of the Territory of Wisconsin passed "An Act relative to limited partnerships."[2] This was the first act to provide for the organization and control of ordinary business enterprises other than simple partnerships or individual enterprises. The act was limited in its purpose to "agricultural, mercantile, mechanical, mining, smelting or manufacturing business.... and for no other purpose whatever." Such partnerships were to be organized as follows:—There were to be two classes of partners, general partners and special partners. The general partners only had authority to transact business, sign for and bind the partnership; they were also to be jointly and severally responsible. The special partners were to contribute "in actual cash payment a specific sum as capital to the common stock," and they enjoyed a limited liability, being liable for the debts of the partnership only to the extent of the capital contributed by them.

Such partnerships were formed much as the ordinary business corporation is at the present time. The persons desiring to form such a partnership were to make and severally

[1] *U. S. Statutes at Large*, Vol. V, p. 10.

[2] *Laws of the Territory of Wisconsin*, 1837–38, p. 226.

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sign a certificate giving, first, the name or firm under which such partnership was to be conducted; second, the general nature of the business to be transacted; third, the names of all the general and special partners interested therein, distinguishing which were general and which were special partners, and noting their respective places of residence; fourth, the amount of capital which each special partner shall have contributed to the common stock; and fifth, the period at which the partnership is to commence and the period at which it will terminate.

This certificate was to be acknowledged and certified in the same manner in which deeds were then acknowledged and certified, and then recorded and filed in the office of the register of deeds in the county in which the principal place of business of the partnership was to be located. In addition to this the certified and acknowledged certificate was to be copied in a book specially kept for that purpose, which book was open to public inspection. Along with this certificate it was necessary for one or more of the special partners to file an affidavit stating the sums contributed by each of the special partners to the common stock "and to have been actually and in good faith paid in cash."

Failure to comply with the above provisions relative to organization rendered all the interested parties liable as general partners. The terms of the partnership were to be published for at least six weeks immediately after registry in a newspaper published in the county where the principal business of the partnership was to be carried on, etc.

This form of organization while presenting many features similar to the business corporation of to-day differs from it

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in several essential characters, the most important of which is the non-transferability of shares. Section twelve of the act provides that "every alteration which shall be made in the names of the partners, in the nature of the business, or in the capital or shares thereof, or in any other matter specified in the original certificate, shall be deemed a dissolution of the partnership." The members were then to be considered as general partners and individually liable. The business of the partnership was to be conducted under a firm name in which only the names of the general partners appeared and "without the addition of the word 'company' or any other general term." The use of the name of a special partner in the firm name made him liable as a general partner. All suits by and against the firm were to be in the name of the general partners only. The special partners could examine into the affairs of the partnership and even advise as to their management, but were not to transact any business on account of the partnership, nor to be employed for that purpose as agent, attorney, or otherwise. Any other interference on the part of a special partner rendered him liable as a general partner. Other sections aim to protect creditors and to further prescribe duties and liabilities of the partners.

The Territory of Iowa was established as an independent Territory by the act of June 12, 1838,[1] and early in December of the same year the first territorial legislature of Iowa met in Burlington and proceeded to enact as statutes for the new Territory the major part of the laws by which its people had been governed under the Territory of Wisconsin.

[1] *U. S. Statutes at Large*, Vol. V, p. 235.

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Among these the act relative to limited partnerships, mentioned above, was adopted *in toto*.[1] In addition to this about twenty-five special acts of incorporation were passed incorporating educational institutions, canal, milling, turnpike, and insurance companies, besides creating several of the territorial towns into municipal corporations. Other special acts of incorporation were passed in 1839–1840; but none of them are of importance in this connection.

An act approved January 28, 1842, entitled "An Act to incorporate the Washington Manufacturing Company"[2] made three individuals named in the act and their associates and successors "a body politic and corporate" with power to erect a dam on the Cedar River. The eighth section of this act, however, deprived the corporators of one chief advantage of incorporation, namely, limited liability. The section referred to reads in part as follows: "Each member of the Washington Manufacturing Company aforesaid, shall be personally liable for the payment of all debts due from the company." Corporation laws at the present time everywhere specially exempt the stockholders from personal liability for the debts of the company. Nor have I been able to find the principle in any of the early acts of incorporation in Iowa, though it appears again in subsequent acts. The principle of the personal liability of the stockholders for the corporate debts was somewhat modified in an act approved February 17, 1842, incorporating the Cedar Rapids Manufacturing Company, by making stockholders personally liable only in case of the insolvency or failure of the company.[3]

[1] *Laws of the Territory of Iowa*, 1838–39, p. 361.
[2] *Laws of the Territory of Iowa*, 1841–42, p. 22.
[3] *Laws of the Territory of Iowa*, 1841-42, p. 82.

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In the next session of the General Assembly of the Territory of Iowa, two new principles of corporation law appear in the acts of special incorporation, though not regularly or consistently, namely the *doctrine of the law of shares* and the *doctrine of limited liability*. On January 21, 1843, an act was approved incorporating the Scott County Hydraulic Company. This act puts large discretionary power into the hands of those "owning a majority of the stock," thus sanctioning the doctrine of the law of shares, but the act says absolutely nothing as to the personal liability of the stockholders.[1]

Another act of special incorporation was approved February 13, 1843, incorporating the Farmers' Half Breed Land Company. Here the doctrine of limited liability was recognized and adopted as follows: "The stockholders shall be individually liable for all the contracts and debts of the company in proportion to the amount of stock owned by each."[2] The sixteenth section of this act contained a statement commonly found in charters of incorporation, namely, that the act was subject to alteration, amendment, or repeal by any future legislature. This section, however, was repealed January 29, 1844,[3] but the legislature continued to assert its right to alter, amend, or repeal charters in the subsequent acts of incorporation. The relinquishment of the right to alter, amend, or repeal the charter of the Farmers' Half Breed Land Company is not to be taken as a mere self limitation, which would not be binding on a future legislature; for the decision in the Dartmouth College case is that a charter is a

[1] *Laws of the Territory of Iowa*, 1842–43, p. 16.
[2] *Laws of the Territory of Iowa*, 1842–43, p. 51.
[3] *Laws of the Territory of Iowa*, 1843–44, p. 80.

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contract, and unless the right to alter or amend has been expressly reserved the charter cannot be altered, amended, or repealed without the consent of the corporation. This principle has been severely criticised as vicious, and it is said to exist only as an obsolete principle of Jurisprudence at the present time, since every State in the American Union has incorporated into its fundamental law a provision reserving the right to alter, amend, or repeal corporate charters.

During the session of the Legislative Assembly in 1844 several acts of incorporation were passed, but no new principle of corporation law was introduced other than the tendency to limit the charters in time—the time, however, varied from twenty to forty years. The act incorporting the Dubuque Mining Company very clearly departs from the doctrines of the law of shares and limited liability, already referred to, by putting the management of the affairs of the company in the hands of the directors "subject to the regulations and instructions of a majority of the stockholders,"[1] and making the stockholders personally liable for the debts of the company in case of insolvency.[2]

The varying policy of the Legislative Assembly of the Territory of Iowa in granting charters of incorporation shows the evils of special incorporation. Sometimes the charters provided in great detail for the organization and management of the company, again only a brief statement that the incorporators were capable of exercising the usual and necessary powers of a corporate body for the purposes specified was deemed sufficient. In fact such powers and privileges

[1] *Laws of the Territory of Iowa*, 1843–44, p. 117.
[2] *Laws of the Territory of Iowa*, 1843–44, p.118.

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were granted and such restrictions imposed as public policy or the caprice of the legislature suggested. With such conditions prevailing it is no wonder that the convention which met and framed the Constitution of 1846 inserted a provision that "Corporations shall not be created in this State by special laws, except for political or municipal purposes, but the General Assembly shall provide, by general laws, for the organization of all other corporations."[1]

The development toward general law for the incorporation of companies in Iowa has undoubtedly been normal. General law is the rule in the United States, and an examination of the constitutions of the several States shows that all but six contain clauses either guaranteeing that the formation of corporations shall be under general law, or that they shall not be created by special acts.[2]

Thus, with the adoption of the Constitution of 1846 Iowa was to have a general law of free association by which any number of individuals might form a corporation for almost any lawful purpose without special authorization of the legislature. The nature of the general law enacted after the adoption of the Constitution of 1846 and the subsequent development of corporation law in Iowa will be reviewed in a future paper.

FRANK EDWARD HORACK

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[1] Constitution of 1846, Art. 9, Sec. 2.

[2] These States are Connecticut, Massachusetts, New Hampshire, Rhode Island, Vermont, and Virginia. All of these States provide for incorporation under general law, but special acts are not prohibited and are often passed.

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THE NATIONAL UNIVERSITY OF AGRICULTURE

Few persons have any adequate idea of the extent and importance of the educational work carried on by the government of the United States; and fewer yet have a definite knowledge of the varied and exhaustive scientific training given by the Department of Agriculture alone. An article in *Scribner's Magazine* for January, 1904, gives an account of the work of the Smithsonian Institution and of the scientific investigations of the several executive departments, but the Department of Agriculture is dismissed with a brief reference.

If no other scientific work were done by the Government except that of the Department of Agriculture, Uncle Sam would still be at the head of by far the greatest scientific institution in the country—an institution with an income for educational purposes exceeding the combined incomes of the rich universities of Harvard, Yale, Columbia, Chicago, Leland Stanford, and California.

The germ of the Department of Agriculture is to be found in the United States grant of 1862 to the various States for the encouragement of agriculture and the mechanic arts. A few of the States made wise use of the Federal aid provided and registered real progress towards an improved agriculture; but it became evident that to secure the results intended a central, national, coördinating agency was demanded. Eight years ago the Department of Agriculture was created to supply this need, and the Hon. James Wilson, Professor of

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Agriculture in the Iowa State College, at Ames, was made its first Secretary.

Entering upon his new duties, Secretary Wilson organized the Department upon five main lines of research: (1) Meteorology, or climatic conditions, a science fundamental to a knowledge of the development of vegetable and animal life; (2) the analysis of soils; (3) the science of plant industry, including the pathology of plant life as well as its normal development; (4) animal industry, normal and pathological; and (5) forestry.

The first and greatest demand of the new Department was for men with the thorough and minute training requisite for the conduct of scholarly investigation along these several lines. Mr. Wilson called upon all the colleges and universities of the land to supply the men, without whom a Department of Agriculture could not be created. Only a very limited number could be found who were fitted for the work demanded, and it was found necessary to prepare the scholars for conducting the researches of the various divisions, to take the graduates of the colleges and universities and give them the advanced and specialized courses, the higher training which they lacked.

Now, after eight years, the Department of Agriculture has secured the services of about five hundred expert scientists devoted to research and skilled in their particular fields of study. About fifteen hundred others are under training. They are employed as assistants or contributors to the labors of their instructors. As many more are employed in clerical and manual labors. Altogether the teachers, students, and assistants of various grades number a little more than

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four thousand. The Department searches the world for the most accomplished experimentees, and any part of the world appears to be at liberty to levy tribute upon the Department.

In illustration of this latter point Secretary Wilson relates an instance. The Department has been wrestling with a problem connected with the cultivation of tobacco. One cigar sells for a cent, while another brings fifty cents. What is the difference? A young German was found with especial qualifications for the study and set to work to gain the mastery of the tobacco plant and the conditions requisite to the production of the superior quality. The question involved extensive examinations into a variety of matters—the source and condition of the seed, the climate and the soil best adapted to the plant, the kind and degree of fermentation necessary to mature the product, and a multitude of other considerations. The Department of Agriculture was making rapid progress towards the solution of the problem. Suitable soils were found in different parts of the country and the new industry was being established under favoring conditions, when suddenly the Japanese government, being interested in the same investigation, seized upon our expert and carried him off to the Orient.

The experiment stations of this great Agricultural University are situated in all parts of the country and of the world where there is a developing agriculture. Our own soils and climates are being mastered in their relations to agricultural industries, and the entire world is made to contribute to the discovery of plant and animal products suited to our widely varied conditions. This searching of the world for the

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already developed germ is for the present of vast importance. Discoveries are being made that will add greatly to the productiveness of our lands. But the time will come when that part of the work of the Department will hold a relatively smaller place, and fewer discoveries will be made. The real science of agriculture consists, after all, in the more minute adaptation of plant and animal life to local environment.

Secretary Wilson mentions with much chagrin the fact that thus far America has produced not one clearly differentiated breed of domestic animals. We have only been importing and adapting foreign breeds, and this has been attended with immense waste. We shall not have all that science is fitted to give until we have discovered approximately the particular varieties of products suited to each special locality, and this will involve the evolution of many new varieties.

The work of the Agricultural Department is of a sort that can be done only by a fully equipped national institution reaching to every part of the country and to all parts of the world. Only by such an institution can the experiments carried on in all the States be supervised and their results coördinated and utilized for the common good. Its usefulness is manifold; it may serve as a clearing house of information for all educational agencies concerned with similar subjects; it creates a constant demand for trained and expert scholars from the colleges and universities and fosters the production of scholars; and it will be able to supply the demand for specialists in its several lines as instructors in colleges and universities, and in many ways as its work develops will act as a powerful stimulus in respect to many forms of worthy endeavor.

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Agriculture embraces half the industries of our country. The ideal University of Agriculture will render guidance to every school, high and low, wherever any branch of the comprehensive subject is taught, and it will utilize the services of all such schools. At the same time it will offer practical direction and help to all engaged in the many pursuits which make up the varied forms of agricultural industry.

JESSE MACY

WASHINGTON, D. C.

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A BIBLIOGRAPHY OF IOWA STATE PUBLICATIONS FOR 1898 AND 1899

INTRODUCTION

This is the second installment of a bibliography of Iowa State publications, the first part of which was published in THE IOWA JOURNAL OF HISTORY AND POLITICS for July, 1903, and was a list of the State publications for 1900 and 1901. As the documents for the biennial period of 1902–03 have not yet all issued from the press, this installment lists the publications for the period of 1898–99. No effort has been spared to make it as complete as possible, but there will necessarily be some omissions.

The abbreviations used in describing the publications are as follows:

S.	sixteenmo	por.	portraits	sh.	sheep
D.	duodecimo	pl.	plates	p.	pages
O.	octavo	pap.	paper	v. p.	various paging
Q.	quarto	cl.	cloth	illus.	illustrations

As in the former list the size marks indicate the actual size of the book, not the fold of the leaf; capitalization is reduced to a minimum; and the division of titles into lines on the title page is indicated by the use of uprights.

MARGARET BUDINGTON

THE STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY

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BIBLIOGRAPHY

ACADEMY OF SCIENCES

Proceedings | of the | Iowa academy of sciences | for 1898. | Volume VI. | Edited by the secretary. | Published by the state. | Des Moines: | F. R. Conaway, state printer. | 1899. |

284 p. pl. O. pap.

Contents: Officers of the Academy. Membership of the Academy. Proceedings of the thirteenth annual session. Presidential address, by T. H. Macbride. Color of deep sea animals, by C. C. Nutting. Notes on the Hemiptera of northwestern Iowa, by Herbert Osborn. A generic synopsis of the nearctic Pentatomidæ, by H. E. Summers. Preliminary report on the diatoms of Iowa, by P. C. Myers. Report on a fossil diatomaceous deposit in Muscatine county, Iowa, by P. C. Myers. Diatomaceous earth in Muscatine county, by J. A. Udden. The Pine Creek conglomerate, by J. A. Udden. Forest trees of Adair county, Iowa, by James E. Gow. Effects of a sleet storm on timber, by James E. Gow. August cloud-burst in Des Moines county, by Maurice Ricker. The Burlington artesian well, by Francis M. Fultz. The lower rapids of the Mississippi river, by Frank Leverett. Observations on the geology of Steamboat Springs, Colorado, by F. M. Witter. Distribution of loess fossils, by B. Shimek. Iowa liverworts, by B. Shimek. A simple incubator, by L. S. Ross. Buried loess in Story county, by S. W. Beyer. New light on the drift in South Dakota, by J. E. Todd. Some physical aspects of general geological correlation, by Charles R. Keyes. Preliminary list of the mosses of Iowa, by T. E. Savage. Additions to the bibliography of North American lichens, by Bruce Fink. Flora of southern Iowa, by T. J. and M. F. L. Fitzpatrick. Extension of complex algebra to threefold space, by T. Proctor Hall. Review of the Cercopidæ of North America north of Mexico, by E. D. Ball. Cuesta topography of the Crimean peninsula, by Charles R. Keyes. Permian rocks of eastern Russia, by Charles R. Keyes.

Proceedings | of the | Iowa academy of sciences | for 1899. | Volume VII. | Edited by the secretary. | Published by the state. | Des Moines: | F. R. Conaway, state printer. | 1900. |

212 p. pl. O. cl.

Contents: Officers of the Academy. Members of the Academy. Proceedings of the fourteenth annual session. Necrology. President's address, by W. S. Hendrixson. The new school of animal psychology, by C. C. Nutting. The distribution of forest trees in Iowa, by B. Shimek. Eleodes in Iowa, by H. F. Wickham. The Scydmænidæ and Pselaphidæ occurring near Iowa City, Iowa, by H. F. Wickham. Notes on the Acocephalina, by E. D. Ball. A notable ride, by Samuel Calvin. Observations in the vicinity of Wall Lake, by Frank A. Wilder. Formational synonomy of the coal measures of the western interior basin, by Charles R. Keyes. Terraces of the Nile valley, by Charles R. Keyes. Genesis of normal compound and normal horizontal faulting, by Charles R. Keyes. Study of the chemical composition of some of the grasses of the state, by J. B. Weems.

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Chemical study of butter increasers, by J. B. Weems and F. W. Bouska. Native crab apples and their cultivated varieties, by John Craig and H. Harold Hume. Genus Salix in Iowa, by Carleton R. Ball. Some Cercosporæ of Macon county, Alabama, by George W. Carver. Abnormal fermentation of bread, by C. H. Eckles. Additions to lichen distribution in the Mississippi valley, by Bruce Fink. Powdery mildew of the apple, by L. H. Pammel. Quince fruit with an immense number of seeds, by L. H. Pammel. Basidionycetæ of central Iowa, by Alice Ward Hess and Harriet Vandivert. Orchidaceæ of Iowa, by T. J. and M. F. L. Fitzpatrick. Genus viburnum in Iowa, by T. J. and M. F. L. Fitzpatrick. Klebs-Leoffler bacillus, by Gershom H. Hill. Trees and shrubs of Hamilton county, by H. A. Mueller.

ADJUTANT GENERAL

Report | of the | adjutant-general | to the | governor | of the | state of Iowa | for biennial period ending November 30, 1899 | Printed by order of the General assembly | Des Moines | F. R. Conaway, state printer | 1900 |

91 p. O. cl.

Contained also in the set of Iowa documents, 1899, vol. 1.

AGRICULTURE

Forty-fifth annual report | of the | board of Directors | of the | Iowa state agricultural society | for the year 1898, | to the governor of the state of Iowa. | P. L. Fowler, secretary. | Des Moines | F. R. Conaway, state printer. | 1899 |

492 p. por. O. cl.

Forty-sixth annual report | of the | Board of directors | of the | Iowa state agricultural society | for the year 1899. | To the governor of the state of Iowa. | G. H. Van Houten, secretary. | Des Moines. | F. R. Conaway, state printer. | 1899.[1] |

419 p. por. map. O. cl.

ATTORNEY-GENERAL

Second biennial report | of the | attorney-general | of the | state of Iowa. | Hon. Milton Remley, | attorney-general. | Transmitted to the governor, January, 1900. | Printed by order of the General assembly. | Des Moines | F. R. Conaway, state printer | 1900 |

285 p. O. cl.

Being the report for the years 1898, 1899.

Contained also in the set of Iowa documents, 1900, vol. 5.

[1] Should be 1900.

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AUDITOR

Biennial report | of the | auditor of state | to the governor of Iowa | July 1, 1899 | Frank F. Merriam, auditor of state | Printed by order of the General assembly | Des Moines: | F. R. Conaway, state printer. | 1899. |

514 p. O. cl.

Contained also in the set of Iowa documents, 1900, vol. 1.

Twenty-ninth annual report | of the | auditor of state of the state of Iowa | on | insurance | 1898. | C. G. McCarthy, | auditor of state. | Compiled from annual statements, for the year | ending December 31, 1897. | Des Moines: | F. R. Conaway, state printer, | 1898. |

565 p. O. pap.

Contained also in the set of Iowa documents, 1898, vol. 5.

Thirtieth annual report | of the | auditor of state | of the state of Iowa | on | insurance | 1899. | Frank F. Merriam | auditor of state. | Compiled from annual statements, for the year ending December 31, 1898. | Des Moines: | F. R. Conaway, state printer, | 1899. |

480 p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 7.

BOARD OF CONTROL

First Biennial report | of the | Board of control | of | state institutions | of | Iowa | for the biennial period ending June 30, 1899 | Des Moines | F. R. Conaway, state printer. | 1900. |

1021 p. tab. O. cl.

Contained also in the set of Iowa documents, 1900, vol. 6.

Bulletin | of | Iowa institutions | (under the Board of control) | Published quarterly | Volume 1. | 1900 | Geo. A. Miller printing co., | Des Moines. |

555 p. O. cl.

Being the Quarterly bulletin for 1899.

CUSTODIAN OF PUBLIC BUILDINGS

Report | of the | custodian of public buildings | and property | to the | governor of Iowa, | for the years 1898 and 1899. | January 1,

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1900. | J. D. McGarraugh | custodian of public buildings and property | Des Moines: | F. R. Conaway, state printer. | 1900. |

40 p. por. pl. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 2.

DAIRY COMMISSION

Twelfth annual report | of the | state dairy commissioner | to the | governor of the state of Iowa. | For the year 1898. | B. P. Norton, | state dairy commissioner. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer, | 1899. |

79 + 38 p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 4.

Thirteenth annual report | of the | state dairy commissioner | to the | governor of the state of Iowa | for the year 1899. | B. P. Norton, | state dairy commissioner. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer, | 1900. |

131 p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 4.

EXECUTIVE COUNCIL

Annual report | of the | executive council of Iowa | of | expenditures of state officers | and institutions | for the year | 1899 | Made in compliance with the requirements of | section 163 of the code, as amended | by section 9 of chapter 118, acts | of the 27th General assembly. | Des Moines | F. R. Conaway, | state printer | 1900 |

221 p. O. pap.

Twenty-seventh annual report | of the | assessed valuation | of | railroad property | in the | state of Iowa, | as fixed by the | executive council of the state, | March 25, 1898. | Under provisions of chapter 1, title 7, of the code of Iowa. | Compiled by A. E. Shipley, | secretary of executive council. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1898. |

49 p. O. pap.

Contained also in the set of Iowa documents, 1898, vol. 6.

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Twenty-eighth annual report | of the | assessed valuation | of | railroad property | in the | state of Iowa, | as fixed by the | executive council of the state, | March 25, 1899 | Compiled by A. H. Davison, | Secretary of executive council. | Printed by order of the executive council of Iowa | Des Moines: | F. R. Conaway, state printer. | 1899. |

50 p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 8.

FISH AND GAME WARDEN

Thirteenth biennial report | of the | state fish and game warden | to the | governor of the state of Iowa. | 1898–1899. | Geo. E. Delavan, warden. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1900. |

71 p. pl. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 8.

GENERAL ASSEMBLY

Acts and resolutions | passed at the | regular session | of the | twenty-seventh General assembly | of the | state of Iowa. | Begun January 10 and ended April 1, 1898. | Published under authority of the state. | Des Moines: | F. R. Conaway, | state printer. | 1898. |

173 p. Q. Sh.

Rules and standing committees | of the | twenty-seventh General assembly | 1898. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1898. |

69 p. tab. O. pap.

Contained also in the set of Iowa documents, 1898, vol. 4.

Legislative documents | submitted to the | twenty-seventh | General assembly | of the | state of Iowa, | which convened at Des Moines, January 10, 1898. | Leslie M. Shaw, governor | J. C. Milliman, lieutenant-governor and president of the Senate | G. L. Dobson, secretary of state | C. G. McCarthy, auditor of state | John Herriott, treasurer of state | R. C. Barrett, superintendent of public instruction | Milton Remley, attorney-general | J. H. Funk, speaker

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of the House of representatives | Volume I | Des Moines: | F. R. Conaway, state printer. | 1898. |

v. p. O. sh.

Contents: Governor's biennial message. Governor's inaugural address. Auditor's report. Treasurer's report. Report of land department. Adjutant-general's report. State librarian's report.

Legislative documents | submitted to the | twenty-seventh | General assembly | of the | state of Iowa, | which convened at Des Moines, January 10, 1898. | Leslie M. Shaw, governor | J. C. Milliman, lieutenant-governor and president of the Senate | G. L. Dobson, secretary of state | C. G. McCarthy, auditor of state | John Herriott, treasurer of state | R. C. Barrett, superintendent of public instruction | Milton Remley, attorney-general | J. H. Funk, speaker of the House of representatives | Volume II. | Des Moines: | F. R. Conaway, state printer, | 1898. |

v. p. O. sh.

Contents: Fish commissioner's report. Report of custodian of public buildings. Report of the Historical department. Report of the Historical society. Report of the superintendent of public instruction. Report of the State university. Report of the State normal school. Report of the State agricultural college. Report of the Soldiers' orphans' home. Report of the Iowa soldiers' home. Report of the School for the deaf. Report of the College for the blind. Report of the Institution for the feeble-minded.

Legislative documents | submitted to the | twenty-seventh | General assembly | of the | state of Iowa, | which convened at Des Moines, January 10, 1898. | Leslie M. Shaw, governor | J. C. Milliman, lieutenant-governor and president of the Senate | G. L. Dobson, secretary of state | C. G. McCarthy, auditor of state | John Herriott, treasurer of state | R. C. Barrett, superintendent of public instruction | Milton Remley, attorney-general | J. H. Funk, speaker of the House of representatives | Volume III | Des Moines: | F. R. Conaway, state printer. | 1898. |

v. p. O. sh.

Contents: Report of the Board of health. Report of the Pharmacy commission. Dairy commissioner's report for 1896. Dairy commissioner's report for 1897. Report of state oil inspector. Mine inspector's report. Labor commissioner's report. Report of the Board of dental examiners. Weather report.

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Legislative documents | submitted to the | twenty-seventh | General assembly | of the | state of Iowa, | which convened at Des Moines, January 10, 1898. | Leslie M. Shaw, governor | J. C. Milliman, lieutenant-governor and president of the Senate | G. L. Dobson, secretary of state | C. G. McCarthy, auditor of state | John Herriott, treasurer of state | R. C. Barrett, superintendent of public instruction | Milton Remley, attorney-general | J. H. Funk, speaker of the House of representatives | Volume IV. | Des Moines: | F. R. Conaway, state printer. | 1898. |

v. p. O. sh.

Contents: Report of the hospital for the insane, at Mt. Pleasant. Report of the hospital for the insane, at Independence. Report of the hospital for the insane, at Clarinda. Report of the hospital for the insane, at Cherokee. Report of the visiting committee to the hospitals for the insane. Report of the secretary of state on criminal convictions. Governor's report on pardons. Report of the industrial schools. Report of the penitentiary at Ft. Madison. Report of the penitentiary at Anamosa. Rules of the twenty-seventh General assembly. Attorney-general's report. State veterinary surgeon's report. Improved stock breeder's association report for 1897.

Legislative documents | submitted to the | twenty-seventh | General assembly | of the | state of Iowa, | which convened at Des Moines, January 10, 1898. | Leslie M. Shaw, governor | J. C. Milliman, lieutenant-governor and president of the Senate | G. L. Dobson, secretary of state | C. G. McCarthy, auditor of state | John Herriott, treasurer of state | R. C. Barrett, superintendent of public instruction | Milton Remley, attorney-general | [J.] H. Funk speaker of the House of representatives | Volume V. | Des Moines: | F. R. Conaway, state printer, | 1898. |

v. p. O. sh.

Contents: Auditor's insurance report for 1897. Auditor's insurance report for 1898.

Legislative documents | submitted to the | twenty-seventh | General Assembly | of the | state of Iowa, | which convened at Des Moines, January 10, 1898. | Leslie M. Shaw, governor | J. C. Milliman, lieutenant-governor and president of the Senate | G. L. Dobson, secretary of state | C. G. McCarthy, auditor of state | John Herriott, treasurer of state | R. C. Barrett, superintendent of public instruc-

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tion | Milton Remley, attorney-general | J. H. Funk, speaker of the House of representatives. | Volume VI. | Des Moines: | F. R. Conaway, state printer. | 1898. |

v. p. O. sh.

Contents: Railway commissioner's report for 1896. Railway commissioner's report for 1897. Railway assessment for 1896. Railway assessment for 1897.

GEOLOGICAL SURVEY

Iowa | geological survey | Volume IX. | Annual report, 1898, | with | accompanying papers. | Samuel Calvin, A. M., Ph. D., state geologist. | H. F. Bain, assistant state geologist. | [Seal] | Des Moines: | Published for the Iowa geological survey | 1899. |

572 p. pl. maps, Q. cl.

Contents: Administrative reports. Statistics of mineral production, by S. W. Beyer. Geology of Carroll county, by H. F. Bain. Geology of Humboldt county, by T. H. Macbride. Geology of Story county, by S. W. Beyer. Flora of Story county, by L. H. Pammel. Geology of Muscatine county, by J. A. Udden. Geology of Scott county, by W. H. Norton. Artesian wells of the Belle Plaine area, by H. R. Mosnat.

Iowa | geological survey | Volume X | Annual report, 1899 | with | accompanying papers | Samuel Calvin, A. M., Ph.D., state geologist | H. F. Bain, assistant state geologist | [Seal] | Des Moines: | Published for the Iowa geological survey | 1900 |

666 p. pl. maps, Q. cl.

Contents: Administrative reports. Statistics of mineral production, by S. W. Beyer. Fossil fauna of the Kinderhook beds of Burlington, by Stuart Weller. Geology of Lyon and Sioux counties, by Frank A. Wilder. Flora of Lyon county, by B. Shimek. Geology of Osceola and Dickinson counties, by T. H. Macbride. Geology of Hardin county, by S. W. Beyer. Geology of Worth county, by Ira A. Williams. Geology of Dubuque county, by Samuel Calvin and H. F. Bain. Forestry notes for Dubuque county, by T. H. Macbride.

Iowa | geological survey | Volume IX. | Administrative reports. | Samuel Calvin, A. M., Ph.D., state geologist. | H. F. Bain, assistant state geologist | [Seal] | Des Moines: | Published for the Iowa geological survey | 1899. |

29 p. Map, Q. pap.

Mineral production in Iowa | for 1898 | by S. W. Beyer. | From

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Iowa geological survey, vol. IX. | Annual report 1898, pp. 31–48 | [Seal] | Des Moines; | 1899 |
Q. pap.

Geology | of | Carroll county | by H. F. Bain. | From Iowa geological survey, volume IX, | Annual report, 1898, pages 49–107. | [Seal] | Des Moines | 1899 |
illus. maps, Q. pap.

Geology | of | Humboldt county | by T. H. Macbride. | From Iowa geological survey, volume IX, | Annual report, 1898, Pages 109–154. | [Seal] | Des Moines | 1899 |
illus. map, Q. pap.

Geology | of | Story county | by S. W. Beyer. | From Iowa geological survey, volume IX, | Annual report, 1898, pages 155–245. | [Seal] | Des Moines | 1899 |
illus. map, Q. pap.

Geology | of | Muscatine county | by J. A. Udden. | From Iowa geological survey, volume IX, | Annual report, 1898, pages 246–388. | [Seal] | Des Moines | 1899 |
illus. maps, Q. pap.

Geology | of | Scott county | by W. H. Norton. | From Iowa geological survey, volume IX, | Annual report, 1898, pages 389–514. | [Seal] | Des Moines | 1899 |
illus. maps, Q. pap.

Report | on the | artesian wells | of the | Belle Plaine area. | By H. R. Mosnat. | From Iowa geological survey, volume IX, | Annual report, 1898, Pages 521–562. | [Seal] | Des Moines | 1899 |
illus. map, Q. pap.

Iowa | geological survey | Volume X | Administrative reports | Samuel Calvin, A. M., Ph.D., state geologist. | H. F. Bain, assistant state geologist. | [Seal] | Des Moines: | Published for the Iowa geological survey. | 1900. |
40 p. map, Q. pap.
Reprinted from the Geological survey report for 1899, volume 10.

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Mineral production in Iowa | for 1899 | By S. W. Beyer | From Iowa geological survey, vol. X | Annual report 1899, pp. 41–60 | [Seal] | Des Moines: | F. R. Conaway, state printer | 1900 |
Q. pap.

The succession of fossil faunas | in the Kinderhook beds at | Burlington, Iowa | by Stuart Weller | From Iowa geological survey, vol. X | Annual report 1899, pp. 63–79 | [Seal] | Des Moines | F. R. Conaway, state printer | 1900 |
Q. pap.

Geology | of | Lyon and Sioux | counties | by Frank A. Wilder | From Iowa geological survey, vol. X | Annual report, 1899, pp. [85–184] | Des Moines | 1900 |
illus. maps, Q. pap.

Flora | of | Lyon county | by B. Shimek | From Iowa geological survey, vol. X | Annual report, 1899, pp. 157–184 | Des Moines | 1900 |
Q. pap.

Geology | of | Osceola and Dickinson | counties | by T. H. Macbride | From Iowa geological survey, vol. X | Annual report, 1899, pp. 189–239 | Des Moines: | F. R. Conaway, state printer. | 1900. |
illus. maps, Q. pap.

Geology | of | Hardin county | by Samuel Walker Beyer | From Iowa geological survey, vol. X | Annual report, 1899, pp. 245–313 | Des Moines: | F. R. Conaway, state printer. | 1900. |
illus. maps, Q. pap.

Geology | of | Worth county | by Ira A. Williams | From Iowa geological survey, vol. X | Annual report, 1899, pp. 319–377 | Des Moines: | F. R. Conaway, state printer. | 1900. |
maps, Q. pap.

Geology | of | Dubuque county | by Samuel Calvin and H. F. Bain | From Iowa geological survey, vol. X | Annual report, 1899, pp. 385–651 | Des Moines: | F. R. Conaway, state printer. | 1900. |
illus. maps, Q. pap.

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Forestry notes | for | Dubuque county | by Thomas H. Macbride | From Iowa geological survey, vol. X | Annual report, 1899, pp. 623–651 | Des Moines | 1900 |

Q. pap.

GOVERNOR

Biennial message | of | Francis M. Drake, | governor of the state of Iowa, | to the | twenty-seventh General assembly. | January, 1898. | Printed by authority of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1898. |

53 p. O. pap.

Inaugural address | of | Leslie M. Shaw | fifteenth governor | of the | state of Iowa, | delivered Thursday, January 13, 1898. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1898. |

20 p. O. sh.

Biennial Message and Inaugural address 1898 contained also in the set of Iowa documents, 1898, vol. 1.

Report | by the | Governor of Iowa | of | pardons, | suspensions of sentence, | commutations, and remissions of fines. | From January 10, 1898, to January 10, 1900. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1900. |

58 p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 8.

HEALTH, STATE BOARD OF

Tenth | biennial report | of the | Board of health | of the | state of Iowa | for the | period ending June 30, 1899. | [Seal] | Des Moines. | F. R. Conaway, state printer. | 1899. |

591 p. illus. O. cl.

Contents: Board meetings. Smallpox in Iowa. Vaccination. Leprosy in Iowa. Embalmers' department. Communicable diseases. Barbers and hair dressers. Railroad accidents. Vital statistics. Water. Food preservatives. Health literature. Further legislation. Sanitary bacteriology. Disinfection. Public parks. Hints on rural school grounds. Health of children fed on cows' milk. Milk as food. Care of milk on farm. Meats—composition and cooking. Turberculosis in cattle. Bovine tuberculosis in relation to man. Ventilation and outdoor life in its relation to pulmonary consumption. Hygienic treatment of tuberculosis. Anthrax. Evolution of sanitation in Iowa. Children's eye

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sight and school desk. Money value of health. State care for epileptics. Our chronic insane. Sewage disposal on the farm. Official circulars. Sanitary code.

Contained also in the set of Iowa documents, 1900, vol. 4.

Iowa health bulletin Vol. XI. January–May 1898. Nos. 8–12.

Iowa health bulletin Vol. XII. June 1898–May 1899. Nos. 1–12.

Iowa health bulletin Vol. XIII. June–December 1899. Nos. 1–7.

1898 | Circular No. 6. 11–11–'98–1,000 | Rules and regulations | for the | inspection of illuminating oils, | and | linseed oil, | in the | state of Iowa. | Issued by the | State board of health. |

14 p. O. pap.

1899 | Regulations | for the | quarantine and disinfection | of | contagious diseases. | Issued by the | Iowa state board of health. |

32 p. O. pap.

Form 90 B.] [3–98–2,000 | Regulations | for the use of | kerosene and gasoline | and | petroleum products | Issued by the | Iowa state board of health |

8 p. O. pap.

1898 | Form 132 B.] 8–4–98–2,000 | Circular of information | respecting | turberculosis. | Issued by the | Iowa state board of health. |

[4 p.] O. pap.

Rules | for the | Transportation of corpses. | State of Iowa—Health department. | Office of the State board of health, | Des Moines. |

4 p. O. pap., issued in 1898.

1898 | Form 70 B.] [Mar.–24–98–200 | Restriction and prevention | of | contagious diseases | in the | public and private schools. | Issued by | the Iowa state board of health. |

7 p. O. pap.

Rules | for the | prevention and restriction | of | contagious diseases | among | domestic animals. | Issued by | the State board of health and Executive council | of the State of Iowa. | Des Moines: | F. R. Conaway, state printer, | 1898. |

18 p. O. pap.

1898 | Circular No. 15] [11–4–98–1000 | Rules and regulations | for the | disinfection | of | woolen-rag mattresses, bed quilts,

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carpets, rugs | and upholstered furniture. | Issued by | the Iowa state board of health. |

[4 p.] p. O. pap.

Other circulars of the State board of health for 1898, 1899, are: Disinfection; Inspection of mineral oil; Regulation for local boards of health. The compiler has not been able to secure copies of these.

HISTORICAL DEPARTMENT

Fourth biennial report | of the | Historical department | of Iowa. | Made to the trustees of the state library, | November 1, 1899. | By Charles Aldrich, | curator and secretary. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1900. |

66 p. por. O. cl.

Contained also in the set of Iowa documents, 1900, vol. 2.

The | annals of Iowa. | A historical quarterly. | Volume three—third series. | Edited by Charles Aldrich, A. M., | curator and secretary of the Historical department of Iowa; corresponding member | of the State historical society of Wisconsin; corresponding member of the | Minnesota historical society; corresponding member of the Wash | ington state historical society; and one of the founders | of the American ornithologists' union. | Published by the Historical department of Iowa, | Des Moines. | 1897–9. |

672 p. O. pl. ½ mor.

Nos. 4–8, January, 1898–January, 1899, belong to this period.

The | annals of Iowa, | A historical quarterly. | Volume four—third series. | Edited by Charles Aldrich, A. M., | [6 lines as above] | Published by the Historical department of Iowa, | Des Moines, | 1899–1901. |

Nos. 1–3, April–October, 1899, belong to this period.

HORTICULTURAL SOCIETY

Report | of the | Iowa state horticultural society | for the year 1898, | containing the proceedings of the | thirty-third annual session, | held at | Des Moines, Dec. 13, 14, 15, 16, 1898. | Also transactions of the | northeastern, northwestern, southeastern and south-

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western horticultural | societies. | Edited by the secretary. | Volume 33. | Published by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1899. |

593 p. O. cl.

Report | of the | Iowa state horticultural society | for the year 1899, | containing the proceedings of the | thirty-fourth annual session, | held at | Des Moines, December 12, 13, 14, 15, 1899. | Also transactions of the | southeastern, northeastern, northwestern and south | western horticultural societies. | Edited by the secretary. | Volume 34. | Published by order of the General assembly. | Des Moines | F. R. Conaway, state printer | 1900 |

555 p. por. O. cl.

HOUSE OF REPRESENTATIVES

Journal of the House | of the | twenty-seventh General assembly | of the | State of Iowa, | which convened at the capitol at Des Moines, | January 10, 1898. | Des Moines: | F. R. Conaway, state printer, | 1898. |

1166 p. O. sh.

IMPROVED STOCK BREEDERS' ASSOCIATION

Twenty-fifth annual meeting | of the | Iowa improved | stock breeders' association | held at | Iowa City, Iowa, | December 14 and 15, 1898. | Officers. | President—John Cownie, South Amana; vice-presidents, W. P. Young, | Mt. Pleasant; W. W. McClung, Waterloo; John A. Evans, | West Liberty; Dan Sheehan, Osage; Andrew Davidson, | Monticello; J. R. Crawford, Newton; Prof. C. F. | Curtiss, Ames; Dan Leonard, Leonard; Geo. W. Franklin, Atlantic; R. J. | Johnston, Humboldt; H. | G. McMillan, Rock | Rapids. | Secretary and treasurer—W. M. McFadden, West Liberty. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer, | 1899. |

Contained also in the set of Iowa documents, 1900, vol. 5.

Twenty-sixth annual meeting | of the | Iowa improved | stock breeders' association | held at | Ames, Iowa | December 13 and 14,

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1899 | With an appendix containing a report of the nine | teenth annual meeting | of the | Iowa shorthorn breeders' association | held at | Ames, Iowa, December 12 and 13, 1899 | Des Moines: | F. R. Conaway, state printer, | 1900. |

111. p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 5.

Inner title page reads:

Twenty-sixth annual meeting | of the | Iowa improved | stock breeders' association | held at | Ames, Iowa, | December 13 and 14, 1899. | Officers: | President—W. M. Beardshear, Ames; vice-Presidents — J. F. Heins, Wapello; John | Howat, Welton; Richard Baker, Farley; S. A. Converse, Cresco; S. H. Hoad | ley, Cedar Rapids; H. D. Parsons, Newton; C. F. Curtiss, Ames; C. C. | Norton, Corning; Charles Eicher, Botna; F. A. Edwards, | Webster City; H. G. McMillan, Rock Rapids; secretary | and treasurer—W. M. McFadden, West Liberty. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1900. |

INDUSTRIAL SCHOOL FOR BOYS AT ELDORA

Sixteenth biennial report | of the | supcrintendent | of the | Iowa industrial school for boys | at Eldora | to the | Board of control of state institutions | for the period ending June 30, 1899 | Des Moines | F. R. Conaway, state printer | 1900. |

30 p. O. pap.

INDUSTRIAL SCHOOL FOR GIRLS AT MITCHELVILLE

Sixteenth biennial report | of the | superintendent | of the | Iowa industrial school for girls | at Mitchellville | to the | Board of control of state institutions | for the period ending June 30, 1899. | Des Moines | F. R. Conaway, state printer | 1900 |

16 p. O. pap.

INSTITUTION FOR FEEBLE MINDED CHILDREN

Twelfth biennial report | of the | superintendent | of the | Iowa institution | for | feeble-minded children | at Glenwood | to the |

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Board of control of state institutions | for the period ending June 30, 1899 | Des Moines | F. R. Conaway, state printer | 1900 |

48 p. O. pap.

LABOR STATISTICS, BUREAU OF

Eighth biennial report | of the | Bureau of labor statistics | for the | state of Iowa. | 1897–98. | W. E. O'Bleness, commissioner. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1899. |

107 p. pl. O. cl.

Contents: Introductory. Recommendations. Co-operative railroading. Manual training schools. Labor organizations. Reports by counties of the business of Iowa institutions, with statistical tables. Railroad statistics. Pearl button factory. The button industry.

Contained also in the set of Iowa documents, 1900, vol. 4.

LAND DEPARTMENT

Report | of the | secretary of state | to the | governor of Iowa, | of the | transactions of the Land department, | July 1, 1899. | G. L. Dobson, secretary of state. | Des Moines: | F. R. Conaway, state printer. | 1899. |

115 p. O. cl.

Contained also in the set of Iowa documents, 1900, vol. 2.

MINE INSPECTORS

Ninth biennial report | of the | state mine inspectors | to the | governor of the state of Iowa | for the | two years ending June 30, 1899 | James A. Campbell, district no. 1; John Verner, district no. 2; | James W. Miller, district no. 3. | Printed by order of the General assembly | Des Moines: | F. R. Conaway, state printer. | 1899 |

74 p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 3.

OIL INSPECTORS

Biennial report | of | inspectors of oils. | 1897–99. | Compiled by | G. L. Dobson, secretary of state. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1899. |

17 p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 2.

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PENITENTIARY, ANAMOSA

Fourteenth biennial report | of the | warden of the penitentiary | at | Anamosa, Iowa, | to the | Board of control of state institutions | for the period ending June 30, 1899 | Des Moines: | F. R. Conaway, state printer, | 1900. |

79 p. O. pap.

PENITENTIARY, FORT MADISON

Twenty-eighth biennial report | of the | warden of the penitentiary | at | Fort Madison, Iowa, | to the | Board of control of state institutions | for the period ending June 30, 1899 | Des Moines. | F. R. Conaway, state printer. | 1900 |

58 p. O. pap.

PHARMACY COMMISSION

Tenth biennial report | of the | commissioners of pharmacy | for the | state of Iowa. | 1899. | Printed by order of the General assembly. | Des Moines. | F. R. Conaway, state printer. | 1899. |

141 p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 4.

PIONEER LAWMAKERS' ASSOCIATION

Pioneer | lawmakers' association | of Iowa. | Reunion of 1898, | held at Des Moines, February 9, 10, and 11, 1898. | Sixth biennial session. | Published by authority of the state. | Des Moines: | F. R. Conaway, state printer. | 1898. |

184 p. por. pl. O. pap.

PUBLIC INSTRUCTION, DEPARTMENT OF

Biennial report | of the | superintendent | of public instruction | of the | state of Iowa | November 1, 1899 | Richard C. Barrett | superintendent of public instruction | Printed by order of the General assembly | Des Moines | F. R. Conaway, state printer | 1900 |

117 p. O. cl.

Contained also in the set of Iowa documents, 1900, vol. 2.

Iowa | educational directory | for the school year | commencing September, 1898. | Issued by the Department of public instruction, |

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December 20, 1898. | Des Moines: | F. R. Conaway, state printer, | 1898. |

44 p. D. pap.

Iowa | educational directory | for the school year | commencing September, 1899 | Issued by the | Department of public instruction | December 20, 1899 | Des Moines | F. R. Conaway, state printer | 1899 |

48 p. D. pap.

RAILROAD COMMISSIONERS

Twenty-first annual report | of the | Board of railroad commissioners | for the | year ending June 30, 1898. | State of Iowa | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1899. |

336 p. O. cl.

Contained also in the set of Iowa documents, 1900, vol. 3.

Twenty-second annual report | of the | Board of railroad commissioners | for the | year ending June 30, 1899. | State of Iowa | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1900. |

515 p. O. cl.

Contained also in the set of Iowa documents, 1900, vol. 3.

Including laws of Iowa relating to railways, express companies, etc.

Laws of Iowa | relating to | railways, express companies, etc., etc. | Appendix to the | twenty-second annual report (1899) | of the | Board of railroad commissioners. | (Published by permission of the executive council, from | the code of 1897, including session laws | of 1898 and 1900.) | Des Moines: | F. R. Conaway, state printer, | 1900 |

515 p. O. ½ cl.

SECRETARY OF STATE

Thirteenth year | Iowa | official | register | published by the | secretary of state | by order of | the General assembly. | 1898. |

363 p. illus. D. cl.

Contents: The Iowa capital. State and county officers. Roster of Iowa national guard. Pt. 2: State institutions. Pt. 3: Election statistics of the

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state election, 1897. Pt. 4: National election, 1897. Statistics, party platforms, organization, etc. Pt. 5: National and state governments. Pt. 6: Miscellaneous statistics.

Fourteenth year | Iowa | official | register | published by the | secretary of state | by order of | the General assembly. | 1899 |

398 p. por. D. cl.

Contents: Iowa in the Spanish war. State and county officers. Pt. 2: State institutions. Official roster of Iowa volunteers. Pt. 3: Transactions executive council. Pt. 4: Election statistics of the state election, 1898. Pt. 5: National election, 1896. Statistics, party platforms, organization, etc. Pt. 6: National and state governments. Pt. 7: Miscellaneous statistics.

Report | of the | secretary of state | relating to | criminal convictions | for the years 1898 and 1899. | G. L. Dobson, secretary of state | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1899. |

153 p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 1.

SENATE

Journal of the Senate | of the | twenty-seventh General assembly | of the | State of Iowa, | which convened at the capitol at Des Moines, | January 10, 1898. | Des Moines: | F. R. Conaway, state printer, | 1898. |

1076 p. O. sh.

SOLDIERS' HOME, MARSHALLTOWN

Sixth biennial report | of the | commandant | of the | Iowa soldiers' home | at Marshalltown | to the | Board of control of state institutions | for the period ending June 30, 1899 | Des Moines | F. R. Conaway, state printer | 1900. |

28 p. O. pap.

SOLDIERS' ORPHANS' HOME

Seventeenth biennial report | of the | superintendent | of the | Iowa soldiers' orphans' home | at | Davenport | to the | Board of control of state institutions | For the period ending June 30, 1899 | Glenwood, Iowa | State institution press | 1902 |

24 p. O. pap.

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STATE AGRICULTURAL COLLEGE

Eighteenth biennial report | of the | Iowa state college of agriculture | and the | mechanic arts | including | report of experiment station | made to | the governor of the state | for the years 1898–99 | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer, | 1899. |

101 p. O. cl.

Contained also in the set of Iowa documents, 1900, vol. 2.

Iowa state college | of | agriculture | and | the mechanic arts | Catalog 1898–99 | "Science with practice" | 1899 | By the college. | Ames. |

258 p. O. pap.

Iowa state college | of | agriculture | and | the mechanic arts | Catalog 1899–1900. | "Science with practice" | 1900 | By the college. | Ames. |

295 p. O. pap.

[Quotation 4 lines] | An illustrated compendium | of the | Iowa state college | of agriculture and mechanic arts, | Ames, Iowa. | Dedicated to the students and alumni | of the college. | Des Moines, Iowa: | Printed by the Kenyon press, | 1898. |

18 p. pl. O. pap.

The outer cover reads:

Illustrated compendium, | 1898 | I. A. C. | Iowa state college | agriculture and mechanic arts | Ames, Iowa. |

[Quotation, 7 lines] | An illustrated compendium | of the | Iowa state college | of | agriculture and the mechanic arts | Ames, Iowa. | Dedicated to the students and alumni | of the college. | Des Moines, Iowa: | Printed by the Kenyon press, | 1899. |

128 p. illus. O. pap.

Bulletin no. 37. 1898. | Iowa agricultural college. | Experiment station, | Ames, Iowa. | [Cut of beet patch] | Sugar beet investigations—1897. | Intelligencer printing house | Ames, Iowa, | 1898. |

20 p. O. pap.

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Bulletin no. 38. | 1898. | Experiment station | Iowa state college of agriculture and | mechanic arts. | The Russian thistle. | Des Moines: | F. R. Conaway, state printer. | 1898. |

24 p. O. pap.

Bulletin no. 39. | 1898. | Experiment station | Iowa state college of agriculture | and mechanic arts. | Weeds of corn fields. | Des Moines: | Conaway & Shaw, printers. | 1898. |

23–52 p. O. pap.

Bulletin no. 40. 1899. | Iowa agricultural college | Experiment station. | Ames, Iowa. | The relation of acid fermentation | to butter flavor and aroma. | Ames, Iowa. | Intelligencer printing house. | 1899. |

53–64 p. O. pap.

Bulletin no. 41. | 1899 | Iowa agricultural college | Experiment station. | Department of horticulture and forestry. | Some reports from trial stations on new | orchard fruits and shrubs. | Des Moines, Iowa, | Kenyon printing and manufacturing co., | 1899. |

65–129 p. O. pap.

Bulletin no. 42. | 1899. | Iowa agricultural college | Experiment station. | Ames, Iowa. | Horse nettle as a troublesome weed in Iowa. | Two other troublesome weeds. | Potato scab. | Ames, Iowa. | Intelligencer printing house. | 1899. |

130–142 p. illus. O. pap.

Bulletin no. 43. | 1899. | Iowa agricultural college. | Experiment station. | Ames, Iowa. | Some injurious scale insects. | Ames, Iowa. | Intelligencer printing house | 1899. |

143–176 p. illus. O. pap.

STATE DAIRY ASSOCIATION

Twenty-second annual report | of the | Iowa state dairy association | held at | Waterloo, Iowa, | November 1, 2, 3, 1898. | Compiled by J. C. Daly, secretary. | Stenographic report by D. A. Long, | Des Moines: | F. R. Conaway, state printer, | 1899. |

87 p. O. pap.

Digitized by Google

Report | of the | twenty-third annual convention | of the | Iowa state dairy association | held at | Mason City, Iowa, November 15, 16, 17, 1899 | Compiled by J. C. Daly, secretary. | Stenographic report | by Mary Burdsall | Des Moines | F. R. Conaway, state printer, | 1900.

135 p. O. pap.

STATE HISTORICAL SOCIETY

Twenty-second biennial report | of the | Board of curators | of the | State historical society | to the | governor of the state. | 1899. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1899. |

12 p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 2.

Iowa | historical record, | published by the | State historical society, | at | Iowa City. | Volumes XIII, XIV, and XV. | 1897–98–99. | Iowa City, Iowa: | 1899. |

576 p. por. pl. O.

Issued quarterly, four numbers constituting a volume and three volumes bound together in one book. Vols. 14 and 15 only belong to the period covered by this bibliography, 1898–99.

STATE LIBRARY

Biennial report | of the | state librarian | to the | governor of the state of Iowa. | July 1, 1899. | Johnson Brigham, | state librarian. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1899 |

268 p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 2.

STATE NORMAL SCHOOL

Twelfth biennial report | of the | State normal school | at | Cedar Falls, Iowa. | School years 1897–98 and 1898–99. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1899. |

46 p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 2.

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Catalog and circular | of the | State normal school | Cedar Falls, Iowa. | 1898. | Gazette | book and job printers | Cedar Falls. |

118 p. illus. O. pap.

State normal school | Cedar Falls, Iowa. | General announcement. | Summer term, 1899. | Calendar for school year, 1899–1900 [25 lines] |

12 p. O. pap.

Catalog and circular | of the | State normal school | Cedar Falls, Iowa. | 1899. | Burlington: | The Hawk-eye company, | printers. |

133 p. illus. O. pap.

STATE TEACHERS' ASSOCIATION

Proceedings | of the | forty-fourth annual session | of the | Iowa state teachers' association, | held at Des Moines, Iowa, | December 27, 28, 29, 1898. | Officers | President—Prof. A. N. Currier, Iowa City | secretary,—Co. supt. Carrie M. Goodell, Corydon. | Vice-presidents,—Supt. F. E. Willard, Marshalltown; Supt. Carrie B. Parker, | Spencer; Prin. J. H. Beveridge, Glidden. | Executive committee—Supt. F. J. Sessions, Waterloo, Chairman; Kate E. Corkhill, Indianola; W. F. Chevalier, Red Oak, | Treasurer—G. W. Samson, Cedar Falls. |

200 p. O. pap.

Outer cover reads:

Proceedings | of the | Iowa state | teachers' association | forty-fourth annual session. | Des Moines, Iowa | December, 27, 28, 29, 1898. | Printed by order of the General assembly, | Des Moines: | F. R. Conaway, state printer. | 1899. |

Proceedings | of the | forty-fifth annual session | of the | Iowa state teachers' association, | held at Des Moines, Iowa, | December 27, 28, 29, 1899. | Des Moines | F. R. Conaway, state printer | 1900 |

200 p. O. pap.

STATE UNIVERSITY

Report | of the | State university | of Iowa. | October 15, 1899. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1899. |

70 p. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 2.

Digitized by Google

Catalogue | of the | State university of Iowa | Iowa City, Iowa | 1897–98 | and | Announcement for 1898–99 | Published by the university | 1898. |

264 p. D. pap.

Annual announcement | of the | dental department | of the | State university of Iowa | Iowa City, Iowa | 1898–99 | Published by the university | 1898. |

32 p. D. pap.

Annual announcement | of the | dental department | of the | State university of Iowa | Iowa City, Iowa | 1899–1900 | Published by the university | 1899 |

30 p. D. pap.

Annual announcement | of the | law department | of the | State university of Iowa | Iowa City, Iowa | 1898–99 | Published by the university | 1898 |

32 p. D. pap.

Annual announcement | of the | law department | of the | State university of Iowa | Iowa City, Iowa | 1899–1900 | Published by the University | 1899 |

29 p. D. pap.

Annual announcement | of the | medical department | of the | State university of Iowa | Iowa City, Iowa | 1898–99 | Published by the university | 1898 |

35 p. D. pap.

Annual announcement | of the | medical department | of the | State university of Iowa | Iowa City, Iowa | 1899–1900 | Published by the university | 1899 |

33 p. illus. D. pap.

Fourteenth annual announcement | of the | department of | pharmacy | of the | State university of Iowa | Iowa City, Iowa | 1898–99 | Published by the university | 1898 |

16 p. illus. D. pap.

Fifteenth annual announcement | of the | department of pharmacy |

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of the | State university of Iowa | Iowa City, Iowa | 1899–1900 | Published by the university | 1899 |

16 p. illus. D. pap.

The State university of Iowa. | Graduate and undergraduate | courses of instruction | in | political science, history, | government, and law. | Announcement for 1898–99. | Iowa City, Iowa. | 1898. |

28 p. O. pap.

Twenty-second annual announcement | of the | homoeopathic | medical department | of the | State university of Iowa | Iowa City, Iowa | 1898–99 | Published by the university | 1898 |

21 + [3] p. O. pap.

Twenty-third annual announcement | of the | homoeopathic | medical department | of the | State university of Iowa | Iowa City, Iowa | 1899–1900 | Published by the university | 1899 |

22 p. D. pap.

Vol. IV. no 3. | Bulletin | from the | laboratories of natural history | of the | State university of Iowa. | Published | by authority of the regents. | Iowa City, Iowa: | June, 1898. |

312 p. pl. O. pap.

The outer cover bears contents, 9 lines, in addition to the above.

Vol. IV. no. 4. | Bulletin | from the | laboratories of natural history | of the State university of Iowa. | Published | by authority of the regents. | Iowa City, Iowa: | December, 1898. |

402 p. pl. O. pap.

Outer cover bears contents, 3 lines, in addition to the above.

The income tax cases | and some comments thereon | An address delivered on the invitation of the | faculty, before the graduating class of the | law department of the State univer | sity of Iowa, at the annual com | mencement, June 8, 1898. | By | David J. Brewer, LL. D., | associate justice of the Supreme court of the United States. | Published by the university, | Iowa City: | 1898. |

23 p. O. pap.

Bulletin of the university of Iowa—new series | Published bimonthly Nos. 1 and 2 Double number: $1.00 | Studies in sociology

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economics politics and history | Volume one | Studies in | the politics of Aristotle | and | the republic of Plato | by Isaac Althaus Loos | professor of political science | 1899 | The university press | Iowa City, Iowa | [Notice, 2 lines] |

296 p. O. pap.

Catalogue | of the | State university of Iowa | Iowa City, Iowa | 1898–99 | and | Announcement for 1899–1900 | Published by the university | 1899 |

260 p. D. pap.

Bulletin new series, vol. 1, no. 3. May 15, 1899.

The higher duties of | the lawyer. | An address delivered on the invitation of the | faculty, before the graduating class of the | law department of the State university of Iowa, at the annual commencement, June 7, 1899. | By John Campbell, A. M., LL.B., | chief justice of the Supreme court of Colorado. | Iowa City | Published by the university, | 1899. |

23 p. O. pap.

Bulletin new series no. 4; July 15, 1899.

A portion of the edition was erroneously numbered 6.

University News Bulletin. Volume 1, Nos. 1–6, July 1–December 1, 1899.

Broadside, issued monthly.

Bulletin of the university of Iowa | New series. Vol. 1. No. 5. | University of Iowa | Studies in psychology | edited by | George T. W. Patrick, | professor of philosophy. | Volume II. | Contents. [12 lines] | Iowa City, Iowa, | University of Iowa. | 1899. | [Notice, 1 line] |

163 p. O. pap.

Vol. V. No. 1. | Bulletin | from the | laboratories of natural history | of the | State university of Iowa. | Report on the ophinroidea collected by the | Bahama expedition in 1893. | By Professor A. E. Verrill. | Published by authority of the regents. | Iowa City, Iowa: | September, 1899. |

86 p. pl. O. pap.

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The Transit | Published annually | Edited by the | Engineering society | of the | university of Iowa | Vol. VI, 1898 | Price, fifty cents | The Transit | state university of Iowa | Iowa City, Iowa | 1898. |

76 p. O. pap.

The Transit | Published annually | Edited by the | Engineering society | of the | university of Iowa, | Vol. VII, 1899 | Price, fifty cents | The Transit | The state university of Iowa | Iowa City, Iowa | 1899. |

114 p. O. pap.

Both the above are issued by university money.

The | law bulletin | of | the State university | of Iowa | for the use of students | Edited by the faculty of the law department | Number twenty-seven | February 1898 | Contents [3 lines] | Iowa City | Published by the university | 1898 |

26 p. O. pap.

The | law bulletin | of | the State university | of Iowa | for the use of students | Edited by the faculty of the law department | Number twenty-eight | April 1898 | contents [5 lines] | Iowa City | Published by the university | 1898 |

30 p. O. pap.

The | law bulletin | of | the State university | of Iowa | for the use of students | Edited by the faculty of the law department | Number twenty-nine | October 1898 | Contents [4 lines] | Iowa City | Published by the university | 1898 |

28 p. O. pap.

The | law bulletin | of | the State university | of Iowa | for the use of students | Edited by the faculty of the law department | Number thirty | December 1898 | Contents [2 lines] | Iowa City | Published by the university | 1898 |

28 p. O. pap.

The | law bulletin | of | the State university | of Iowa | for the use of students | Edited by the faculty of the law department | Number

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thirty-one | February 1899 | Contents [3 lines] | Iowa City | Published by the university | 1899 |

24 p. O. pap.

The | law bulletin | of | the State university | of Iowa | for the use of students | Edited by the faculty of the law department | Number thirty-two | April 1899 | Contents [4 lines] | Iowa City | Published by the university | 1899 |

30 p. O. pap.

The | law bulletin | of | the State university | of Iowa | for the use of students | Edited by the faculty of the law department | Number thirty-three | October 1899 | Contents [3 lines] | Iowa City | Published by the university | 1899 |

28 p. O. pap.

The | law bulletin | of | the State university | of Iowa | for the use of students | Edited by the faculty of the law department | Number thirty-four | December 1899 | Contents [4 lines] | Iowa City | Published by the university | 1899 |

22 p. O. pap.

SUPREME COURT

Reports | of | cases at law and in equity | determined by the | Supreme court | of the | state of Iowa. | December 15, 1897—April 6, 1898. | By | Benj. I. Salinger. | Volume XV, | being volume CIV of the series. | Des Moines, Iowa: | Geo. H. Ragsdale, publisher. | 1898. |

XII + 867 p. O. sh.

Reports | of | cases at law and in equity | determined by the | Supreme court | of the | state of Iowa. | April 6, 1898—May 25, 1898. | By | Benj. I. Salinger. | Volume XVI, | being volume CV of the series. | Des Moincs, Iowa: | Geo. H. Ragsdale, publisher. | 1898. |

XII + 870 p. O. sh.

Reports | of | cases at law and in equity | determined by the | Supreme court | of the | state of Iowa. | May 25, 1898–December 16, 1898. | By | Benj. I. Salinger. | Volume XVII, | being volume CVI

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of the series. | Des Moines, Iowa: | Geo. H. Ragsdale, publisher. | 1899. |

VIII + 860 p. O. sh.

Reports | of | cases at law and in equity | determined by the | Supreme court | of the | state of Iowa. | December 16, 1898–April 6 1899. | By | Benj. I. Salinger. | Volume XVIII, | being volume CVII of the series. | Des Moines, Iowa: | Geo. H. Ragsdale, publisher. | 1899. |

VIII + 855 p. O. sh.

Reports | of | cases at law and in equity | determined by the | Supreme court | of the | state of Iowa. | April 6, 1899–May 26, 1899. | By | Benj. I. Salinger. | Volume [X] IX, | being volume CVIII of the series. | Des Moines, Iowa: | Geo. H. Ragsdale, publisher | 1899. |

XXVI + 865 p. O. sh.

Reports | of | cases at law and in equity | determined by the | Supreme court | of the | state of Iowa. | May 26, 1899–December 14, 1899. | By | Benj. I. Salinger. | Volume XX, | being volume CIX of the series. | Des Moines, Iowa: | Geo. H. Ragsdale, publisher | 1899. |

VIII + 879 p. O. sh.

TREASURER OF STATE

Biennial report | of the | treasurer of state of Iowa | for the | biennial period ending June 30, 1899 | John Herriott | treasurer of the state of Iowa | Des Moines | F. R. Conaway, state printer | 1899 |

289 p. O. cl.

Contained also in the set of Iowa documents, 1900, vol. 1.

VETERINARY SURGEON

Second biennial report | of the | veterinary surgeon | of the | state of Iowa | to the | governor of Iowa | for the period ending June 30, 1899 | Printed by order of the General assembly | Des Moines: | F. R. Conaway, state printer | 1899 |

52 p. por. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 4.

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WEATHER AND CROP SERVICE

United States | Department of agriculture, | Weather bureau. | Annual report | of the | Iowa weather and crop service | in co-operation with the | United States weather bureau, | for the year 1898. | John R. Sage, Director. Geo. M. Chappel, M. D., | local forecast official U. S. weather bureau, assistant director | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer, | 1899. |

86 p. map, O. pap.

Contained also in the set of Iowa documents, 1900, vol. 5.

United States | Department of agriculture, | Weather bureau. | Annual report | of the | Iowa weather and crop service | in co-operation with the | United States weather bureau, | for the year 1899. | John R. Sage, director. Geo. M. Chappel, local forecast official U. S. weather bureau, assistant director. | Printed by order of the General assembly. | Des Moines: | F. R. Conaway, state printer. | 1900. |

74 p. tabs. O. pap.

Contained also in the set of Iowa documents, 1900, vol. 5.

U. S. Department of agriculture—Weather Bureau. Monthly review of the Iowa weather and crop service. Volume IX. January–December, 1898. No. 1–12.

U. S. Department of agriculture—Weather Bureau. Monthly review of the Iowa weather and crop service. Volume X. January–December, 1899. No. 1–12.

U. S. Department of agriculture, Weather Bureau. | Weather-crop bulletin | of the | Iowa weather and crop service | Vol. IX. |

Broadside, 8 columns, issued weekly, April 11–September 19, 1898, nos. 1–24.

U. S. Department of agriculture, Weather bureau. | Weather-crop bulletin | of the | Iowa weather and crop service. | Vol. X. |

Broadside, 8 columns, issued weekly, April 10–September 12, 1899, nos. 1–23.

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SOME PUBLICATIONS

Annual Report of the American Historical Association for the Year 1902. In Two Volumes. Washington: Government Printing Office. 1903. Pp. 648, 527.

These two volumes are filled with material of great interest and value, especially to the student of American history. The first volume opens with Secretary Haskins's report of the Association meeting at Philadelphia in December, 1902. Most of the papers which follow were presented at that meeting. With few exceptions they deal with the history of our own country.

Especially noteworthy and welcome are Professor Jameson's *Studies in the History of the Federal Convention of 1787.* He tells of letters written from the convention, publishes a number not previously printed, and gives a list of those already in print. He contributes some admirable textual criticism of the various plans presented to the convention, including the famous Pinckney plan. He publishes for the first time a draft for the committee of detail prepared by James Wilson, whose papers he has recently exploited. He analyses carefully the list of members who did not sign the Constitution, and concludes with an outline and bibliography of the action of the various States on the work of the convention.

The field of diplomatic history is represented by the following timely articles: *The National Canal Policy*, by Professor L. M. Keasbey; *The Neutralization Features of the Hay-Pauncefote Treaty*, by Professor Latané; *Suez and Panama, a Parallel*, by Professor T. S. Woolsey; and *Reasons for the Withdrawal of the French from Mexico*, by Professor Duniway. Professor Duniway points out that the French desertion of Maximilian was due, not solely to the attitude and interference of the United States, but also to lack of strong support from the Mexicans, to dissatisfaction in France with the

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plans and methods of the Napoleonic government, and to disturbing conditions in Europe which demanded the attention and resources of France.

Some two hundred pages are occupied by Dr. Charles McCarthy's monograph on the *Antimasonic Party*. This is an extended scholarly discussion of the antimasonic movement from 1827 to 1840, for which the author was awarded the Justin Winsor prize. Dr. McCarthy concludes "that the Antimasonic party owed much of its strength to the conditions of the times and was not wholly the product of the abduction of Morgan;" "that Antimasonry as it appeared in the election of 1832 was a complex of political and social discontent guided by skilled leaders;" and that "the party in the political history of America has its chief importance in that it furnished the first solid basis for the Whig movement of the future."

More than passing notice should be given to the contributions of Professor Woodburn and Dr. James Sullivan. In his treatment of *Party Politics in Indiana during the Civil War*, which deals especially with party opposition to Lincoln's administration, Professor Woodburn has added a valuable chapter to our political literature. Dr. Sullivan, in an interesting paper entitled *Antecedents of the Declaration of Independence*, traces the philosophical assertions of the Declaration back to ancient writers, and finds all its important principles enunciated as early as the fifth century A. D. Professor Dunning adds a note on the history of the phrase "are, and of right ought to be."

Volume I also contains President A. T. Mahan's suggestive address on *Subordination in Historical Treatment*; papers, by Professor MacDonald emphasizing the study of American colonial history in its larger and truer relations as a part of the British Empire and of the history of English colonization, by James B. Perkins on *French Parliaments*, by William B. Weeden on the *Art of Weaving, a Handmaid of Civilization*, by Professor J. M. Vincent on *Municipal Problems in Medieval Switzerland*, and by Judge S. E. Baldwin on *American Business Corporations before 1789*; the annual report of

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the Public Archives Commission, consisting mainly of reports on the archives of Oregon and the Bexar Archives of Texas; and finally a complete list of the publications of the American Historical Association and the American Church History Society, together with the contents of the *American Historical Review*, down to 1902.

Volume II is by no means the least important part of the report. It consists of the report of the American Historical Manuscripts Commission and embodies much previously inaccessible material from the diary and correspondence of Salmon P. Chase. This material is grouped under five heads: (1) calendar of Chase letters heretofore printed and list of letters now printed; (2) diary of Chase, July 21 to October 12, 1862; (3) selected letters of Chase, 1846–1861; (4) letters from George S. Denison to Chase, 1862–1865; and (5) miscellaneous letters to Chase, 1842–1870. Especially valuable are the Denison letters written from New Orleans during the War, which shed much light on the problems, conditions, characters, and events of that great period.

PAUL S. PEIRCE

THE STATE UNIVERSITY OF IOWA
IOWA CITY

Iowa Official Register. Compiled by W. B. MARTIN, Secretary of State. Published by the State of Iowa, by order of the General Assembly. Des Moines: Bernard Murphy, State Printer. 1904. Pp. 613.

Even more than the usual amount of historical material to be found in the *Iowa Official Register* is contained within the covers of the volume for 1904. The compiler has taken advantage of the freshly stimulated interest in all the lands which were originally included within the Louisiana Purchase to open the volume with an historical introduction of thirty-four pages which contains articles on the history, government, and elections of Iowa, along with an article on Iowa topography, rivers, and lakes, by T. E. Savage, Assistant State Geologist, one on the school system of Iowa, by

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John F. Riggs, State Superintendent of Public Instruction, and one on the system of taxation, prepared by James Parker, Deputy Auditor of Polk County.

Like its predecessors in the series, the nineteenth volume of the *Iowa Official Register* is divided into parts, as an aid to ready reference. Part one is devoted to matter relating to the Constitution, naturalization and citizenship, Registers of the United States, and State and territorial officers, with a list of Iowa men who have held cabinet positions. Parts two and three consist of lists of State and district officers and institutions. Information and statistics of State and territorial elections are included in parts four and five, and part six gives the transactions of the Executive Council of Iowa for the year 1903. Part seven includes information on the national and State governments; and in part eight we find the Iowa material proper. There is also a list, new to the *Iowa Official Register*, of the heads of the governments of the world, and an interesting "cumulative index of special subjects appearing in the *Iowa Official Register* 1886 to 1903." The arrangement of the statistics for Iowa libraries is slightly different from that in former volumes, bringing the free public libraries to the front. The buildings that are the gifts of Mr. Carnegie are indicated by an asterisk—and the list is thickly starred. The statistics are given with considerable fulness and evidently with accuracy.

A new and pleasing feature of the volume are the illustrations. In addition to the usual portrait frontispiece, which this time is the likeness of Governor Drake, there are views of the State educational institutions and of the Iowa building at the St. Louis exposition.

MARGARET BUDINGTON

THE STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY

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The Political Theories of the Ancient World. By WESTEL WOODBURY WILLOUGHBY, Ph. D. New York: Longmans, Green, and Co. 1903. Pp. 294.

"This volume," we are told in the preface, "is the first of a number of volumes which the author hopes in time to prepare covering the entire history of political philosophy. His idea is to write a history of political ideas of the periods covered, not to prepare a digest of political literature." And he is careful to state that he does not aim to present a dictionary or an encyclopedia of the political theories of mankind.

Believing (1) that political ideas have been evoked by and are therefore an expression of particular conditions of social and intellectual life, and (2) that political speculations have for the most part aimed at the solution of practical problems, Professor Willoughby has in this first volume of the proposed series endeavored "to show that the various political speculations described were naturally born of the concrete facts of contemporaneous life."

In the scope and treatment which the author has given to his book he has certainly anticipated the most pressing need of Political Science. Furthermore, it is fortunate that this work has been undertaken by one who is so well equipped as Professor Willoughby. For, as Paulsen truthfully observes in his *Introduction to Philosophy*, "no man can explain philosophical problems and their solution unless he himself has taken a stand in reference to them." In *The Nature of the State* and in *Social Justice*, Professor Willoughby had already taken his stand on the fundamental problems of political philosophy. One may not agree with his conclusions, and may even view portions of his work on *The Political Theories of the Ancient World* as unsatisfactory in parts; but few will question his method of treatment and his right to be heard. He has opened the way.

BENJ. F. SHAMBAUGH

THE STATE UNIVERSITY OF IOWA
IOWA CITY

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The Freedmen's Bureau. By PAUL S. PEIRCE. Iowa City: The State University of Iowa. Studies in Sociology, Economics, Politics, and History. Vol. III, No. 1. 1904. Pp. 200.

The Freedmen's Bureau is the title of a well written monograph which the author modestly subtitles: "A Chapter in the History of Reconstruction." It is, indeed, an important "chapter" and contains much to commend it to the student of the reconstruction period.

Briefly stated, the antecedents, beginning, establishment, organization, work, and decline of the Freedmen's Bureau are described. The opening chapter shows the "confusion and social disorder consequent upon military invasion." The beginning of the bureau dates from 1863 when the treasury department divided the South into five special agencies with a supervisor over each division. This continued in operation until the Freedmen's Bureau was regularly organized by Congress in 1865. Before its regular establishment, however, the work of various associations, religious and benevolent societies in the various States, was quite as important as the work of the government itself; and these voluntary organizations brought the pressure upon Congress necessary to the final organization of the Bureau. The debates and legislation of Congress are traced in a clear and logical manner until two years of congressional conflict resulted in its establishment.

The "bureau was established in the war department, to which, under such regulations as the head of the bureau and the President of the United States should prescribe, was committed the supervision and management of all abandoned lands and the control of all subjects relating to refugees and freedmen from the 'rebel states' or from other districts embraced in the operations of the army." As first established it was to continue during the war and one year thereafter. At its head was a commissioner appointed by the President. Land was to be leased to refugees or freedmen upon payment of an annual rental not exceeding six per cent of the value of the land with the right of purchase at the end of three years. General Howard, the first Commissioner, divided the territory into ten districts, each

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in charge of an assistant commissioner. These districts were again subdivided forming a complex organization, defective indeed, but "in advance of anything that had been earlier attempted." General Grant reported, shortly after its establishment, "that in some States its affairs had not been conducted with good judgment or economy," but on the whole his report was favorable; while General Schurz found much to criticise. In 1866 it was provided that the Bureau should continue with some modifications until otherwise provided for by law. Gradually its field of operation was narrowed until June 30, 1872, when the diminution of power ended in its total abolishment.

The philanthropic, educational, industrial, and judicial aspects are treated in a very satisfactory manner, while the concluding chapter on the political features treats of the Bureau in its relation to suffrage, elections, carpet-bag politicians, and political issues in the North.

That the Bureau was sometimes used to further political ends, is a conclusion one might naturally expect from an institution established and dominated by a political party. That it did much to secure to the negro the right of suffrage guaranteed by the fifteenth amendment, and that to it "is largely attributed the fact that today political lines and race lines are so nearly coincident in the south," are conclusions justified by the preceding chapters. Throughout the monograph Dr. Peirce reflects the opinions of the public, the government officials, and the press; and, while throwing the work upon the original sources, the author is never swamped by the mass of material from which he derives his information. An appendix, a bibliography, a list of congressional documents, and an excellent index add much to this orderly and well written monograph.

KARL F. GEISER

THE IOWA STATE NORMAL SCHOOL
CEDAR FALLS

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The United States and Porto Rico. By L. S. Rowe, Ph.D. New York: Longmans, Green & Co. 1904. Pp. 271.

The American people have implicit faith in their own institutions; and it was naturally expected by many that our entire system of laws would at once be put into force in our recently acquired island possessions, as they had been extended over practically all the Territories of the United States since the organization of the Northwest Territory. That they were not was a source of great disappointment not only to the people of the islands, but to many Americans who did not thoroughly understand the problems confronting the United States in governing these new possessions. It is concerning the problems which confronted the United States in endeavoring to legislate wisely for territory inhabited by a people whose language, laws, customs, and traditions were entirely different from our own that Professor Rowe writes in his very interesting book on *Porto Rico and the United States.*

Professor Rowe writes with authority on this subject; for, as a member of the commission to revise and compile the laws of Porto Rico (1900–1901) and as chairman of the Porto Rican Code Commission (1901–1902), he has had exceptional advantages in observing the facts. It is fortunate for Porto Rico as well as for the United States that this commission should have had among its number an academic man so well versed in the science of government as Professor Rowe. Having been for years a close student of municipal government, he was able to impress the results of his study and experience upon the island at this critical formative period of its history.

In the work here under consideration the author gives a careful analysis of the insular decisions as affecting the civil rights and political status of the inhabitants of the island, and traces the progress and problems of the government of the island through the period of military occupation and after the establishment of the civil government. He lays especial emphasis upon the problems arising out of our contact with these Latin Americans, showing how they are being solved or suggesting their probable solution.

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Of especial interest is the chapter treating of the organization and growth of political parties in the island since the American occupation. That the Porto Ricans are not satisfied with their form of government is conclusively shown in their party platforms. Their natural and commendable ambition to be placed on the same basis as other Territories of the United States, with ultimate admission to statehood in view, shows the wisdom of the provision for a period of tutelage.

Professor Rowe has made a welcomed contribution to the literature of the experiment of the United States in governing a colonial dependency.

F. E. Horack

The State University of Iowa
Iowa City

The Black Hawk War. By Frank E. Stevens. Chicago: Frank E. Stevens, 1205 Chamber of Commerce Building. 1903. Pp. 323.

This is perhaps the most comprehensive work yet published on the famous Black Hawk War. It includes "a review of Black Hawk's life." In a volume of over 300 octavo pages we have a consecutive narrative of the relations of the Sac and Fox Indians with the United States Government from the beginning of the nineteenth century until the death of the great chief Black Hawk. It is constructed from first-hand sources. There are some fac similes of original documents, besides about three hundred reproduced portraits of men who took part in this celebrated campaign. The author announces his endeavor to be thorough and state all the facts. From the preface we learn that he has for over thirty years been collecting material for this book. On every page it is apparent that he has a passion for Black Hawk.

This passion has resulted in producing a treatise which will not be satisfactory to some readers. One suspects before reaching the bottom of the first page that the writer takes up his theme as an attorney for a cause. His thesis and his conclusion are given at start, viz., that Black Hawk is a "savage." He understands the

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principle of suggestion, and at the outset puts into the reader's mind the theory for which he writes the book, which is a plea for the justification of the White Pioneer, and for the military treatment of Black Hawk. On the third page we are told that "an intimate knowledge of Black Hawk is denied us." To those reasonably familiar with the subject this will sound strange in the face of the facts that the United States Government dealt with him for about half a century, that we have his own very frank and sympathetic autobiography, and that there are several other works of which his life forms the central figure.

Of Black Hawk the author says that "he was a confirmed hypochondriac, morbidly regarding as frivolous everything save war;" that "he was discontented and reckless, envious of others with greater influence or name;" that "he was found making and breaking engagements and treaties the greater part of his long life;" that "he never conceived a solitary scheme for the amelioration" (of his people); that "he never had a lofty aspiration for his nation;" that "his every venture was made for personal aggrandizement or popularity;" and that "his prominence comes from notoriety alone." In scores of places are to be found even harsher invectives than the ones here quoted.

The argument of the book, which throws discredit upon the character of Black Hawk, seems to be contradicted by the quotations from the latter's autobiography, showing how the treaty of 1804 was secured. Whether Black Hawk's statements present the literal history or not, this treaty and the subsequent action of the United States can never be whitewashed to respectability.

From the first page to the last the author follows Black Hawk, but sees nothing truly worthy or able in his career. And yet this work contains much valuable material for the student of Indian character. No one interested in the Black Hawk War or in the life of Black Hawk can afford to be without a copy.

DUREN J. H. WARD

THE IOWA ANTHROPOLOGICAL SOCIETY
IOWA CITY

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Check List of the Publications of the State of Iowa. By LAVINIA STEELE. Under the Supervision of the Iowa Library Commission. Des Moines: B. Murphy, State Printer. 1904. Pp. 65.

One of the evidences of a larger interest in the history of Iowa is an appreciation of and a demand for accessible information in the form of bibliographies and check lists. The importance of collecting and publishing bibliographical data was first recognized by the State Historical Society of Iowa in *A Bibliography of Iowa State Publications for 1900–1901* which appeared in the July, 1903, number of THE IOWA JOURNAL OF HISTORY AND POLITICS.

Since then a *Check List of the Publications of the State of Iowa* has been prepared under the direction of the Iowa Library Commission. This check list, which was compiled by Miss Lavinia Steele, under the supervision of the Iowa Library Commission, has already been distributed to the public libraries of the State. The arrangement is in tabulated form, convenient for checking. The several departments of the State are listed in alphabetical order, with the list of their publications following chronologically. Information as to the changes in the name of departments, the date of their first report, etc., is given under each head. When reports have been published both separately and in the *Iowa Legislative Documents* comparative tables are given.

This check list is, happily, provided with an index, so that reference to any department or publication is easily made. The list follows the same general plan as that of the Ohio check list, but gives more information. The Iowa check list cannot fail to carry out the purpose for which it was compiled, namely, to "prove an incentive and an aid in the collection of State publications" to the public librarians and State officials of Iowa. It is not only a creditable but an altogether superior compilation of bibliographical data; and in its publication and generous distribution the Iowa Library Commission has made an exceedingly valuable contribution for which State officials, librarians, and students of history are all grateful. It will serve both as a model and as a basis for similar publi-

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cations in the future; and it is certainly deserving of the recognition given it by a statute of the Thirtieth General Assembly which declares that henceforth the public documents shall be arranged and catalogued according to the plan of this check list.

It is safe to say, however, that no one who is at all familiar with the difficulties of bibliographical compilation would expect to find in this first check list of Iowa publications a work complete and altogether free from errors. Realizing the difficulties of the task undertaken and so admirably executed by Miss Steele, the Secretary of the Library Commission, Miss Tyler, is careful to state in the *Preface* that, "With the most painstaking care, however, errors will have undoubtedly crept in and omissions will be found, and it is hoped that any errors of this sort will be reported, in order that future editions may be corrected. The list is known to be incomplete in certain departments, especially in case of State educational institutions, but it was practically impossible to gain complete information." In order to assist in making future editions more perfect and complete the writer desires in this connection to suggest some additions and corrections.

In some cases documents covering two years or parts of two consecutive calendar years are listed as of one year, thus making it uncertain as to the particular document listed. Again some documents covering only a calendar year are listed as covering two or parts of two years, thus giving rise to some confusion. Publications not separately issued should in the opinion of the writer have been placed in a separate column.

Under "Academy of Sciences" the statement is given that the first report was made in 1887, which is erroneous as there was no authority recognized by the Academy to whom a report could be made. The first brochure issued by the present Academy contained the proceedings for the years 1887, 1888, and 1889, and was a society publication. The proceedings for the years 1890 and 1891, reckoned as volume I, part 2, were issued by the State separately or as an appendix to the *Transactions* of the State Horticultural Society for

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1891. Volume I, part 3, was also issued separately or with the *Transactions* of the Iowa Horticultural Society for 1892. The old Academy, the predecessor of the present one, issued two publications at their own expense, namely: *Proceedings 1875–1880*, 28 pages, and *Supplement*, 1882, 12 pages. The Academy has also issued about sixteen programs, many of which contain abstracts of papers presented.

Under "Adjutant-General" the report for 1866 is in two volumes in all the copies seen by the writer. The report credited to the year 1876 does not exist or at least is not in Iowa Documents for 1878 as credited.

Under "State Agricultural Society" the table seems to indicate that the Society's annual volume for the years 1865, 1867, 1869, 1871, 1873, and 1875 were bound in the Iowa Documents for 1866, 1868, 1870, 1872, 1874, and 1876 respectively. This, however, is not the case. The reports in the Iowa Documents are simply those of the Society's Secretary and not the transactions of the Society.

Under "Auditor of State," Revenue laws for 1886, may be added. The journal of the Senate of the 21st General Assembly with reference to the impeachment of John L. Brown was also issued in parts of about forty or more. Add also the 34th annual report of the Insurance department, 1903, two volumes.

Under "Executive Council" add:—Third Annual Assessment of telegraph and telephone property, by A. H. Davidson, July 25, 1903.

Under "Geological Survey" the reader may note that the title, "Contributions to the paleontology of Iowa," by Hall of the first survey, is, if the writer is not misinformed, a private publication. In the second survey add:—First annual report of progress of the state geologist, Des Moines, Iowa, 1867. This is a four page pamphlet of which only fifty copies were printed. As this report is very rare I give below the title obtained through the courtesy of Dr. C. A. White.

First annual report of progress of the | geological survey | by | C. A. White, M. D., | state geologist, | together with a | report of prog-

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ress | by the chemist, | Prof. G. Hinrichs. | — | January 3d, 1867. | — | Des Moines: | printed at the Iowa State Register job office. | — | 1867. |

Octavo, pp. 4. Contents: Title, p. 1; geology of Iowa, pp. [2]–3; report of the chemist, p. 4.

The second survey also issued another pamphlet. The title given below was sent to me by Dr. C. A. White.

State geological survey of Iowa. | — | Preliminary notice | of new genera and species of fossils, | by | C. A. White, M. D., state geologist, and O. H. St. John, assistant. |

[Iowa City: N. H. Brainerd, Iowa City Republican Office, May, 1867]. Octavo, 2 unp. l.

To the last line of the third survey may be added:—Also administrative reports of the state geologist and various other papers.

Under "Governor" the special report of Governor Kirkwood on Barclay Coppic seems to be omitted.

Under "State Board of Health" the following circulars may be added:—

1880. Glanders in man and domestic animals.
1880. Restriction and prevention of diphtheria.
1881. Water supply and its relation to health and disease.
1881. Diseases of domestic animals and their relation to the health of man.
1881. Sewerage, drainage, and disposal of excreta by James L. Loring.
1881. Slaughter houses.
1881. Adulteration of food.
1882. Restriction and prevention of small pox.
1883. Hospitals for contagious diseases.
1883. Ventilation.
1883. Treatment of the drowned.
1885. Sanitary science and hygiene.
1885. Hygiene of public institutions.
1885. The opium habit.

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1885. The typhoid fever of America.
1885. Lighting and seating school houses.
1885. Communication of contagious diseases.
1885. Rest, by Dr. E. M. Reynolds.
1885. Contagious diseases among domestic animals.
1885. Sanitary science and public schools.
1885. Regulations for local boards of health.
1885. Overpressure in public schools.
1885. Rules and regulations for the inspection of illuminating oil.
1885. Study out of school hours.
1887. Skarlakansfeber och Difterit.
1887. Restriction and prevention of scarlet fever and diphtheria, revised.
1887. Typhoid [Enteric] fever, by J. F. Kennedy.
1887. Hygiene of the unborn.
1887. Tuberculosis in cattle.
1887. Thermometry of hygiene.
1888. Einschrankung und Verhütung von Scharlacht fieber, etc.
1889. Potable water.
1889. Emergency hospitals.
1889. Ventilation, by J. C. Shrader.
1890. Kerosene oil. What to buy and how to use it.
1890. Einschränkung und Verhütung von Scharlach-Fieber, Diptheritis und Membranous Croup.
1891. Restriction and prevention of contagious diseases in the public schools.
1892. Powers and duties of health officers.
1892. Decisions of the Iowa supreme court, etc.
1892. Regulations for the restriction and prevention of contagious diseases.
1893. Restriction and prevention of typhoid fever, revised.
1894. Iowa health laws.
1894. Revised rules and regulations for the inspection of illuminating oil

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1894. Instructions for local boards of health.
1895. Treatment of the drowned.
1896. Restriction and prevention of contagious diseases in schools.
1896. Kerosene oil.
1897. Instructions for local boards of health.
1897. Regulations for the quarantine of contagious diseases.
1897. Public health law.
1898. Contagious diseases among domestic animals.
1898. The inspection of miner's oil.
1898. Rules and regulations for the inspection of illuminating oil, and linseed oil.
1898. Rules for the transportation of corpses.
1898. Rules and regulations for the disinfection of woolen rag mattresses, etc.
1899. Circular 02. October 2, 1899, to the inspectors of oils.
1900. Ordinance for the protection of public health, revised.
1900. Tuberculosis.
1900. Circular No. 4, Ordinance for the protection of public health.
1901. Circular No. 8, respecting smallpox. There is a revised edition and second edition for the year.
1901. Circular No. 3. Restriction and prevention of contagious diseases in public and private schools.
1901. Regulations for local boards of health, 2nd edition.
1902. Ordinance protecting public health.
1902. Contagious diseases in public and private schools, 3rd edition.
1902. Laws relating to public health.
1903. Regulation for local boards of health, 3rd edition.
1903. Circular No. 7. Rules and regulations.
1903. Directions for the collection of samples of water for sanitary analysis.

Under "Horticultural Society" add:—Report, 1891, contains the proceedings of the Iowa Academy of sciences, 1890–1891, part 2.

Under "Fort Madison Penitentiary" add:—Report of joint committee, 1860.

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Under "Pharmacy Commission" add:—Official circular 1886, 1891, and also 1892. The supplemental report listed for 1886 I have not seen. My own file contains a supplementary report for 1888.

Under "Department of Public Instruction" add:—Course for normal institutes, 1895. Flag Day programs, 1899. Manual training and how to introduce it, 1903. Circular of information, no. 1.—Three addresses by the Superintendent of Public Instruction, 1897. Circulation of Information, No. 2, relating to the transportation of pupils, Nov. 1, 1900. Amendments to the school laws of 1892. [Circular, May 15, 1894], pp. 7. Advance sheets, biennial report, 1900, pp. 44.

Under "Secretary of State" add:—Rules of practice in district court, 1887. Election laws, [1902]. List of Iowa Newspapers.

Under "State College of Agriculture and Mechanic Arts" add:—

Bulletin no. 2, 1884, from the department of entomology, by Herbert Osborn.

Bulletin, 1884, devoted to industrial sciences.

Bulletin, 1888, experiments with and investigations of North of Europe fruits, trees, and shrubs, by Prof. J. L. Budd.

Bulletin, November, 1884, department of Botany, by C. E. Bessey.

Bulletin, 1886, department of Botany, by B. D. Halsted.

Bulletin, 1888, department of Botany, by B. D. Halsted.

Contributions from Botanical Department, nos. 1–22, nearly all state publications.

Sewage Disposal plant and investigations, Bulletins nos. 1–4.

Contributions from the Department of Agricultural Chemistry, Bulletins nos. 1–5.

Catalogues, 1889, also 1890.

The Iowa State College of Agriculture and Mechanic Arts, 1896 and 1897. [A breviary.]

Under "State Historical Society," note that Howe's Annals are private publications. Add:—Constitution of the Society 1857, edition 1861. Constitution 1857 and by-laws, 1869, edition 1869.

Under "State Normal School" add:—

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Bulletins nos. 2, 3, and 4 of volume III, and bulletin no. 1 of volume IV, have been issued.

Under "State University of Iowa" add:—

Report of the president and report of the executive committee, 1887. Bulletins Homeopathic Medical Department, volume I, nos. 1, 2, 3, 4, 5, 6; vol. II, no. 1. These are the medical scientific bulletins.

Transit, volumes 1–8, in ten issues. Volumes 1 and 2 were each issued in two parts.

Circular Collegiate Department 1887.

Law Bulletin, nos. 41, 42.

Announcements of the College of Pharmacy, 1885–1900, issued in fifteen publications.

Announcements of the College of Medicine, 1870–1899, issued in thirty publications.

Announcements of the College of Homeopathic Medicine, 1877–1899, issued in twenty-two publications.

Announcements of the College of Dentistry, 1882–1900, issued in nineteen publications.

Announcements of the College of Law, 1875–6, 1881–1889 and year book 1877–1878 and 1880–1881, issued in twenty-two publications, probably not a complete set.

Wambaugh, Eugene. The best education for a lawyer, 1892.

Announcement Civil Engineering Department, 1896.

School of Applied Mechanics and Architecture, 1894–1895.

Announcement of the department of Scandinavian languages and literatures, 1900.

Graduate and undergraduate courses of instruction in political science, history, government, and law, announcement for 1898–1899.

Medical hospital rules.

Hudson—The lawyer's relation to humanity, 1891.

Schaeffer, C. A. The development of the University, 1887.

Record of the board of regents. The writer has collected eight publications. There are probably twice as many.

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University News Bulletin:

Vol. 1, nos. 1–12, July 1, 1899, to June 1900, monthly, twelve publications.

Vol. 2, nos. 1–12, July 1, 1900, to June 1, 1901, monthly, eleven publications, nos. 3 and 4 being combined.

Vol. 3, nos. 1–11, July 1, 1901, to May, 1902, monthly, nine publications, nos. 3 and 4 as well as 6 and 7 being combined.

Vol. 4, nos. 1–8, November, 1902, to June–July, 1903, monthly, eight publications.

Bulletins nos. 2 and 3 of vol. 5, Laboratories of Natural History have been issued.

Entrance requirements in English.

Reports of investigating committee, 1889.

Pickard, J. L. Baccalaureate addresses, 1884, 1885, 1886 and 1887.

Note the statement on page 53: "Catalogue 1857–8 first printed in 1877." The same may be said with reference to catalogue 1858–9. The last line on page 53 should read: "Reprinted from the original publications or archives," as four of the documents were printed for the first time in 1877.

The bulletin of Laboratories of Natural History volume I should be credited with nos. 1, 2, 3, and 4, three issues, as nos. 3 and 4 were combined.

Under "Supreme Court" note:—

Bradford's report was originally issued in three pamphlets. As these publications seem to be generally unknown the full title pages as well as contents are here given:

Reports | of the | decisions of the supreme court | of Iowa, | from the organization of the territory in July, 1838, | to December, 1839, inclusive. | Published by order of the legislature. | by Wm. J. A. Bradford, | reporter to the supreme court, | Galena. | Printed by Wm. C. Taylor. | 1840. |

Pamphlet, octavo, pp. 1–20 + [4.]

Contents: Judges of the supreme court, p. 2; decisions of the supreme court of Iowa, pp. 3–20; names of cases contained in these reports, pp. [21]; index, pp. [23–24.]

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Reports | of the | decisions of the supreme court | of Iowa. | cases argued and decided at the July term, 1840. | Printed for the use of the legislature. | by Wm. J. A. Bradford, | Reporter to the supreme court. | Iowa City: | Printed by Hughes & Williams. | 1843. |

Pamphlet, octavo, pp. 1–75.

Contents: Judges of the supreme court at the time of making these decisions, p. [2]; list of cases contained in this number, pp. 3–4; decisions of the supreme court of Iowa, July, 1840, pp. 5–67; index, pp. 69–75.

Reports | of the | decisions | of the | supreme court of the territory of Iowa. | cases argued and decided at the July term, 1841. | Printed for the use of the legislature. | by Wm. J. A. Bradford, | Reporter to the supreme court. | Iowa City: | Printed by Van Antwerp & Hughes. | 1841. |

Octavo, pp. 1-62.

Contents: Judges of the supreme court at the time of making these decisions, p. 2; list of cases reported in this number, pp. 3–4; decisions of the supreme court of Iowa, pp. 5–55; index, pp. 57–62.

Under "Weather Service" note that the statement is made: "No report was made in 1885." This should read: "No report was printed for the year 1885." There should also be added:—

Weather crop bulletin, volumes I–XIV, 1890–1903. Issued weekly during the crop season.

Under "Miscellaneous" add:—Iowa and the Centennial—The state address delivered by C. C. Nourse, 1876.

T. J. FITZPATRICK

ESTHERVILLE, IOWA

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NOTES AND COMMENT

Education as Related to Life is the subject of the address which was given by Mr. George D. Perkins, of Sioux City, at the commencement of the State University of Iowa on June 15, 1904.

At the dedication of the Free Public Library of Davenport, Iowa, on May 11, 1904, Mr. John F. Dillon, at one time Chief Justice of the Supreme Court of Iowa, delivered the dedicatory address. Mr. Dillon's address, along with some correspondence relative to the Public Library of Davenport, has been printed in a pamphlet of fifty-five pages.

The Rev. John F. Kempker, who has written much concerning the history of the Catholic Church in Iowa, contributes an eighteen page pamphlet on *The Catholic Church in Council Bluffs, Iowa.*

On May 9, 1904, at the annual meeting of the Lucas County Historical Society at Chariton, Iowa, Professor Benj. F. Shambaugh, representing the State Historical Society of Iowa, delivered an address on *Early Iowa and the Pioneers.*

Six Uncrowned Rulers of Modern Europe is the title of a syllabus of six lectures by Professor W. C. Wilcox which has recently been published through the department of university extension at the State University of Iowa. The lectures are being given for the first time at the Summer Session (1904) of the University.

In commemoration of the fiftieth anniversary of its founding, the *Jackson Sentinel* recently issued an illustrated souvenir magazine edition of fifty-eight pages which is chiefly devoted to matters of local history. The article by Mary A. Reid and Harvey Reid entitled *What Made Maquoketa: The Pioneer Colonies of the City and Vicinity* deserves special mention as a really valuable contribution to local history.

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The Hawaiian Case by Judge Emlin McClain is a fourteen page pamphlet which appears as a reprint from No. 6, of volume XVII of the *Harvard Law Review*.

Dr. Thomas Day Seymour, Professor of Greek in Yale University, and President of the Archæological Institute of America, delivered an illustrated lecture on *Recent Excavations and Explorations in Greek Lands* at the State University of Iowa, April 6, 1904.

The celebration of the fiftieth anniversary, in 1906, of the founding of Cedar Rapids, Iowa, is being contemplated.

On Thursday afternoon, May 26, 1904, an engraved bronze mural tablet, as a memorial to Captain Thomas Drummond, was presented to the State of Iowa at the Iowa College for the Blind at Vinton. The tablet was formally presented by Mr. Cato Sells on behalf of the citizens of Vinton and Benton County and accepted by Governor A. B. Cummins on behalf of the State of Iowa. Others who participated in the program were: Senator W. P. Whipple, Professor T. F. Tobin, Mr. I. Van Meter, and Mr. A. N. Harbert. Captain Drummond had been instrumental in having the College for the Blind located at Vinton. To Mr. A. N. Harbert, a member of the State Historical Society of Iowa, is due a large share of the credit of this fitting tribute to the memory of Captain Drummond. A full account of the exercises including Mr. Harbert's biographical sketch of Captain Drummond is given in *The Vinton Eagle* of May 27, 1904.

Dr. William J. Campbell, the well known bookseller of Philadelphia, is writing an elaborate work on St. Memin portraits. It will be in eight volumes, with over eight hundred and thirty engraved portraits all on separate pages. The basis of the book will be the famous "Collection" of 761 proofs, made by the artist himself, which has recently come into Dr. Campbell's possession. The Corcoran Gallery of Art and the Library of Congress, both of which have extensive collections, are coöperating with the author, giving

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him the free use of any portraits that they possess that are not in his own collection. Anyone having information either biographical or genealogical about any portrait that St. Memin made, or any information as to the present whereabouts of any original crayons, coppers, or engravings will confer a favor on the author by communicating with him. Dr. Campbell's address is 1218 Walnut Street, Philadelphia.

Mr. Irving B. Richman, member of the Board of Curators of the State Historical Society of Iowa, will write the volume on *Rhode Island* for the *American Commonwealth Series* published by Houghton, Mifflin & Co.

The *First Report of the Iowa Library Commission, 1900–1903*, is an interesting and valuable history of library conditions and progress in Iowa. As indicated by the title, no report has been issued before this one by the Library Commission; and this first report goes back, therefore, to the inception of the activities of the Commission and its connection with the traveling library system. After a brief chapter on *Library Extension in Iowa*, and practical notes on the work of the Commission as seen in its publications, summer library school, periodical clearing house, etc., the report gives historical sketches of the seventy-seven free public libraries of Iowa, with illustrations, and adds an appendix on the library law, statistics of Iowa libraries, etc. As the Secretary of the Iowa Library Commission states, "the purpose for which the Library Commission exists is to encourage and aid the establishment of free public libraries in the State. Judged by this report of library conditions in Iowa, the Commission is to be congratulated upon the gratifying results of its work.

The *President's Address* before the class of initiates to Sigma Xi at the State University of Iowa, which was delivered by Professor Thomas H. Macbride in February, 1902, has recently been published in pamphlet form.

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The *Second Annual Report of the Director of the Department of Archives and History of the State of Mississippi* (October 1, 1902 to October 1, 1903) shows that Mr. Dunbar Rowland, the Director of the Department, is accomplishing much in the direction of the better preservation of materials bearing upon the history of Mississippi.

Professor Samuel Calvin's thirtieth anniversary of the commencement of his work as a teacher of Natural Science in the State University of Iowa was recently commemorated by his former students in the presentation of a $400 loving cup. A few weeks prior to this event Professor Calvin resigned from the position of State Geologist which he had held since 1892.

The fifty dollar prize offered this year by the Iowa Society of the Colonial Dames of America for the best essay on some phase of early Iowa history written by a student of an Iowa college or university was awarded to Mr. Jacob Van der Zee, of the State University. For the last two years Mr. Van der Zee has been an assistant in the State Historical Society. His essay is entitled *The Roadways of Territorial Iowa.*

The State Historical Society of Wisconsin has undertaken to reprint the first series, being volumes I to X, of the Society's *Collections.* Volume I has already been issued.

Two hundred thousand dollars were appropriated by the Thirtieth General Assembly of Iowa for the erection of a building in Des Moines which will accommodate the State Library, the Historical Department, and the Iowa Library Commission. The work on the building is already under way.

THE GRINNELL SEMI-CENTENNIAL

The semi-centennial anniversary of the founding of Grinnell was commemorated on June 10, 1904. The whole day was given up to the exercises which had been carefully arranged for by the general

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committee of which the venerable Professor L. F. Parker acted as chairman. In the forenoon a program of papers and addresses was followed by a procession of citizens and guests to Hazelwood cemetery where the graves of J. B. Grinnell, Thomas Holyoke, and Homer Hamlin—three of the founders of Grinnell—were appropriately crowned and decorated. Then followed a luncheon at the Congregational church. The afternoon was given up to short after-dinner addresses.

The semi-centennial was made the occasion for collecting data and material relative to the history of Grinnell, and arrangements have been made to have all contributions, including the formal addresses given at the celebration, permanently preserved in the Stewart Public Library.

Such celebrations as these deepen the interest of the community in its past history. In Iowa the day of semi-centennials is just beginning. The example of Grinnell ought to be followed by every town and village in the State.

THE HISTORICAL SOCIETY OF LINN COUNTY

That the interest in local history is on the increase in Iowa is indicated by the formation at Cedar Rapids, Iowa, of a local historical society.

It was on Thursday evening, March 31, 1904, that a group of gentlemen met at the home of Luther A. Brewer and resolved to form the "Historical Society of Linn County, Iowa." At this same meeting the following officers were elected: President, Calvin G. Greene; Vice-president, Luther A. Brewer; Secretary, J. A. Runkle; Treasurer, Lew W. Anderson; Curator, Albert N. Harbert. These officers, with Thomas Devendorf, Ernest R. Moore, B. L. Wick, and Nathaniel M. Hubbard, were constituted the Board of Directors. At this first meeting the Society accepted the invitation of the trustees of Cedar Rapids public library to hold its meetings in the library rooms. It is furthermore arranged that when the new library building is completed the collections of the historical society will be housed therein.

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At a meeting which was held at the public library on May 31, 1904, a Constitution and By-laws were adopted. The annual membership fee was fixed at $2.00. Persons desiring to join the Society may communicate with the Secretary, Mr. J. A. Runkle, Cedar Rapids.

The first meeting of the Society since the adoption of the Constitution was held on Friday evening, June 28, 1904. At this meeting the following were elected to honorary membership: Mr. Charles Aldrich, of Des Moines, Iowa; Mr. B. F. Shambaugh, of Iowa City, Iowa; Mr. John F. Dillon of New York City, New York; and Mr. William Salter, of Burlington, Iowa.

The prospects of the Historical Society of Linn County are certainly promising. Among its charter members are a number of men who have already shown an active interest in local history. From the very outset the Society has the coöperation of the Cedar Rapids public library; and it has already been enrolled among the auxiliary members of the State Historical Society at Iowa City.

THE LUCAS COUNTY HISTORICAL SOCIETY

The Lucas County Historical Society held an annual meeting at Chariton, June 9, 1904. In the morning a business meeting was followed by the reading of papers touching upon local history. In the afternoon officers were elected and a program of addresses carried out. The officers elected were: President Col. Warren S. Dungan; Vice-President, Thomas Gay; Secretary, Miss Laura Fitch; Treasurer, Horace G. Larimer; Curator, Miss Margaret W. Brown; Directors, Mrs. Jessie M. Thayer, Hon. R. A. Hazelquist, Mrs. F. H. Boynton, and T. M. Dunsbee.

The Lucas County Historical Society was the first county historical society organized in this State. Ex-Lieutenant Governor Warren S. Dungan and Miss Margaret W. Brown have been especially active in its promotion. The people of the whole county are interested, and auxiliary township societies have been formed. In the new public library building which is in process of erection a room has been set

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aside for the use of the Society, and at present the members are engaged in an effort to raise funds for its suitable furnishing.

It is not only interesting but really inspiring to attend the meetings of these local historical societies. To be sure the beginnings are sometimes small and the first efforts to preserve the material of local history are often feeble; but let no one despise these days of small beginnings when the seeds of our local provincial history are being sown. The harvest will soon follow.

THE MADISON COUNTY HISTORICAL SOCIETY

At a meeting in the office of the County Superintendent on Tuesday evening, March 15, 1904, the Madison County Historical Society was organized and the following officers elected:—President, H. A. Mueller; Vice-President, T. H. Stone; Secretary, J. A. Way; Treasurer, E. R. Zeller; and Board of Directors, C. C. Schwaner, G. W. Poffinbarger, J. C. Clark, and O. L. Evans. A Constitution and By-laws for the organization were adopted, and provision was made for the selection of a Corresponding Secretary in each township of the county. Through these Corresponding Secretaries the materials of local history will be gathered.

An open meeting of the Society was held on April 29, 1904, at which Mr. E. R. Zeller read a paper on *Pioneer Life, its Trials and Triumphs*, and Mr. W. S. Wilkinson read a paper on *Early Days on Middle River*. Copies of these papers have been placed in the library of the State Historical Society at Iowa City.

The Madison County Historical Society is organized "for the purpose of collecting and preserving books, papers and records, writings and relics, and other materials relating to the history of Madison County;" but its collections may include matter illustrative of the history of the State and Nation.

NOTES RELATIVE TO THE STATE HISTORICAL SOCIETY OF IOWA

Volume VI of the *Messages and Proclamations of the Governors of Iowa* is in press and will be issued sometime during the summer.

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This Society has begun the publication of *Bulletins of Information.* The first of the series was issued under the date of April, 1904, and relates to membership in the Society. *Bulletin* No. 2, issued in May, 1904, is *An Iowa Program for Study Clubs.* It was prepared in response to a demand for some specific suggestions and recommendations relative to subjects in Iowa history suitable to the purposes of study clubs in Iowa.

Dr. Duren J. H. Ward has been authorized to continue his survey of Iowa mounds. Reports of his work will be made to the Board of Curators from time to time. During the month of June his explorations were in the vicinity of the Amana Community on the Iowa river, where he has definitely located over one hundred mounds.

During the period from March 15 to May 15, 1904, twenty-eight volumes were added to the library by purchase, and two hundred pamphlets and four hundred and six volumes were received as gifts, making a total addition to the library for that period of six hundred and thirty-four volumes and pamphlets.

The following persons have been admitted to membership in the Society since January 1, 1904:—Chas. E. Moore, Waterloo; H. S. Nollen, Des Moines; Horace Boies, Grundy Center; Roy A. Cook, Independence; E. E. Clark, Des Moines; Wm. L. Read, Des Moines; C. G. Green, Cedar Rapids; J. F. Kempker, Lacona; J. B. Weaver, Jr., Des Moines; S. H. Harper, Ottumwa; Chas. F. Noe, Amana; M. L. Ferson, Iowa City; Allen Johnson, Grinnell; J. J. Louis, Harlan; E. R. Harlan, Keosauqua; Jos. H. Allen, Pocahontas; H. H. Seerley, Cedar Falls; A. B. Storms, Ames; George W. Egan, Logan.

Through the kindness of the Hon. M. J. Wade, the library has received from the U. S. government more than three hundred volumes of United States documents of the fifty-fourth and fifty-fifth Congresses. The set includes such reports as those of the Geological Survey, Mexican Boundary Commission, Finance and Commerce, Labor Department, etc.

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The library has received from Josiah Granville Leach a copy of the *Chronicle of the Yerkes Family, with Notes on the Leach and Rutter families.* The volume is most beautifully printed, and contains many fine half-tone engravings.

An attempt is being made to collect for the library the printed financial reports of all of the counties of Iowa. It is a matter of regret that some of the counties have failed to comply with the statute which directs the publication of such reports annually.

From the Indiana State Library an exchange of forty-six volumes of Indiana documents has been received.

The provision for library membership in the State Historical Society of Iowa provides that any public, school, or college library in the State of Iowa may be enrolled as a library member upon application and the payment of a fee of $1.00. Such library membership may be retained after the first year upon the payment of $1.00 annually. Libraries enrolled as library members of the State Historical Society of Iowa are entitled to receive the quarterly and all other publications of the Society issued during the period of their membership. Under this provision sixty-one public libraries, twenty-nine college libraries, and ten school libraries have availed themselves of the privilege of being enrolled as library members.

Among the volumes in the library is a large collection of duplicates, chiefly of Iowa State publications, kept for the purpose of exchange for similar publications of other States and societies; these number at present over eleven thousand, and include old numbers of the *Annals of Iowa*, reports of Iowa State institutions, reports of State officers, volumes of the Iowa legislative documents, Senate and House journals, etc.

From the Hon. M. J. Wade, the library has received the volume of *Memorial Addresses Delivered before the Two Houses of Congress on the Life and Character of Abraham Lincoln, James A. Garfield,*

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and William McKinley. The addresses were delivered by Hon. George Bancroft, Hon. James G. Blaine, and Hon. John Hay, respectively. The volume is a beautiful specimen of the printer's craft and contains a portrait etching of each of the martyred presidents.

New certificates of membership have been issued to all active, library, and auxiliary members of the Society.

At the July, 1904, meeting of the Board of Curators the following officers were elected:—President, Peter A. Dey; Vice-President, Isaac A. Loos; Secretary, Frank E. Horack; Treasurer, Lovell Swisher. Miss Margaret Budington was elected Acting-Librarian.

In June, 1904, Governor Albert B. Cummins reappointed the following members of the Board of Curators:—Harvey Ingham, of Des Moines; Irving B. Richman, of Muscatine; E. W. Stanton, of Ames; L. W. Parish, of Cedar Falls; J. J. McConnell, of Cedar Rapids; Charles E. Shelton, of Indianola; J. F. Mitchell, of Des Moines; William Milchrist, of Sioux City; and W. H. Byers, of Harlan.

From August first to about the middle of September the library of the Society will be closed except on Saturday mornings when it will be open from nine to twelve. But anyone desiring to pursue investigations during the vacation may be admitted upon application to the Secretary.

At a meeting of the Board of Curators in March, 1904, the following provisions were made for *auxiliary membership* in the Society:

Local historical societies (such as county historical societies, city or town historical societies, and old settlers' associations) may be enrolled as auxiliary members of THE STATE HISTORICAL SOCIETY OF IOWA upon application of such local historical societies and upon the approval of their applications by the Board of Curators of THE STATE HISTORICAL SOCIETY OF IOWA.

Patriotic organizations within the State of Iowa (such as the Iowa Society of the Sons of the American Revolution, the Iowa Society

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of the Daughters of the American Revolution, the Iowa Society of Colonial Wars, and the Iowa Society of Colonial Dames) may be enrolled as auxiliary members of THE STATE HISTORICAL SOCIETY OF IOWA upon application of such organizations and upon the approval of their applications by the Board of Curators of THE STATE HISTORICAL SOCIETY OF IOWA.

Auxiliary societies or organizations shall be entitled to membership in THE STATE HISTORICAL SOCIETY OF IOWA and shall have one vote at the annual meeting of this Society. Each auxiliary society or organization shall be entitled to receive all the publications of THE STATE HISTORICAL SOCIETY OF IOWA issued during the period of its affiliation as an auxiliary member.

Auxiliary societies or organizations shall not be required to pay any fees or dues to THE STATE HISTORICAL SOCIETY OF IOWA.

The following have been enrolled as auxiliary members:—

The Madison County Historical Society.
The Lucas County Historical Society.
The Historical Society of Linn County.
The Old Settlers' Association of Southwest Iowa.
The Jackson County Historical Society.
The Maquoketa Valley Pioneer and Old Settlers Society.
The Old Settlers' Association of Grinnell.

At the July, 1904, meeting of the Board of Curators the Secretary submitted a detailed financial statement for the year beginning July 1, 1903, and ending June 30, 1904. The following is a summary of the report:—

Receipts

General code fund—total receipts including balance on hand July 1, 1903.....$1005.97
General 1902 fund—total receipts including balance on hand July 1, 1903..... 1522.45
Special 1902 fund—total receipts including balance on hand July 1, 1903..... 4915.51

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Act of 28 G. A. fund—balance on hand July 1, 1903.....	12.16
Publication and membership fund—total receipts including balance on hand July 1, 1903.....	783.28
	$8239.37

Expenditures

	AMOUNT	BALANCE
General code fund—total expenditures.....	$1005.97	$ 000.00
General 1902 fund—total expenditures.....	1522.45	000.00
Special 1902 fund—total expenditures.....	3949.21	966.30
Act of 28 G. A. fund—total expenditures....	12.16	00.00
Publication and membership fund—total expenditures.....	198.44	584.84
Total expenditures, all funds.....	$6688.23	$1551.14
Total balance, all funds.....	1551.14	
Total receipts, all funds.....	$8239.37	

Recent legislation concerning the Society is as follows:

Be it enacted by the General Assembly of the State of Iowa:—

SECTION 1. That there be and is hereby appropriated to the State Historical Society of Iowa, out of any money in the State treasury not otherwise appropriated, the sum of seven thousand five hundred dollars ($7,500), annually hereafter as a permanent support: For the continued publication of THE IOWA JOURNAL OF HISTORY AND POLITICS; for the continuation of the compilation and publication of the messages and proclamations of the Governors of Iowa; for the collection, compilation and publication of documentary materials relating to the history of Iowa, including such of the archives of the State and Territory of Iowa as are of historical importance; for the publication of historical monographs, biographies, essays, lectures, bibliographs and indexes; for the proper maintenance of the library of the society, the collection and purchase of publications bearing upon Iowa and American history and the proper classifying, cataloguing and indexing of such material; for the carrying out of a systematic and scientific anthropological survey of the State; for conducting public lectures of a historical character; and for meeting the

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incidental and other necessary expenses incurred in connection with the prosecution of the work of the said State Historical Society of Iowa as indicated in this act and Title XIII (13), chapter eighteen (18), section twenty-eight hundred and eighty-two (2882) of the Code.

SEC. 2. That the permanent annual appropriation herein provided for shall take the place and be in lieu of all other permanent annual appropriations heretofore made to the State Historical Society of Iowa, and the same shall be paid in quarterly installments on the order of the Board of Curators of the said State Historical Society of Iowa, the first installment to be paid on July 1, 1904.

SUGGESTIONS TO PUBLIC LIBRARIES AND LOCAL HISTORICAL SOCIETIES IN IOWA RELATIVE TO COLLECTING AND PRESERVING MATERIALS OF LOCAL HISTORY

In collecting and preserving the materials of local history, the public libraries of Iowa have an important function to perform. They should aim to do for their local communities what the State Historical Society of Iowa is attempting to do for the State at large. Furthermore, wherever it is practicable the public library should coöperate with the local historical society. Thus the public library and the local historical society may with advantage work together in collecting and preserving the materials of local history.

AMERICAN HISTORY

In the first place it is suggested that there should be placed upon the shelves of the public library several of the standard works on American history. The following are suggested as among the general works on American history which are especially suitable for the public libraries of Iowa:—*The American History Series*, 6 vols., Scribners; *Epochs of American History*, 3 vols., Longmans; Hart, *American History told by Contemporaries*, 4 vols., Macmillan; Schouler, *History of the United States*, 6 vols., Dodd, Mead & Co.; McMaster, *History of the People of the United States*, 6 vols., Appletons; Thorpe, *Constitutional History of the American People*, 2 vols., Harpers; Rhodes, *History of the United States from 1850*, 4

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vols., Harpers; Channing and Hart, *Guide to American History*, Ginn & Co.; Channing, *The United States of America, 1765–1865*, Macmillan; Bryce, *The American Commonwealth*, Macmillan; McMaster, *School History of the United States*, American Book Co.

IOWA HISTORY

In the second place it is suggested that the public library should aim to secure books and pamphlets bearing upon the history of Iowa. Among the most valuable of the publications on Iowa history are those issued by the State Historical Society of Iowa, which may be secured through the provision which the Society has made for library membership. (See *Bulletin of Information*, No. 2. It will be sent upon application). The larger libraries will doubtless aim to keep the public documents of the State, that is, the legislative documents, House and Senate journals, the Supreme Court Reports, the Official Register, etc. (See *Check List of the Publications of the State of Iowa*. Apply to Iowa Library Commission, Des Moines, Iowa).

LOCAL HISTORY

In the third place it is suggested that the public library in coöperation with the local historical society should make a business of collecting and preserving the data and materials pertaining to the life and history of the community in which the library and historical society are located. Indeed, the public library should become the store house for all such matter as: (1) files of the local newspapers and sets of periodicals and journals published in the community; (2) official publications of the town and county in which the library is located (e. g., city ordinances, school laws, and reports of county officers); (3) local town or city directories; (4) announcements, programs, proceedings, etc., of all local historical, literary, scientific, political, philanthropical, educational, fraternal, and religious clubs and organizations; (5) books, pamphlets, articles, etc., written by men and women who live in the community in which the library is located; (6) photographs and autographs and autograph letters of prominent citizens; and (7) clippings relative to the local community.

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The following suggestions may be of assistance to public libraries and local historical societies in preserving local history materials.

Besides the copies of local papers received for filing, an extra copy of each should be secured for clippings. Thus, obituaries may be clipped, pasted in a large scrap book, indexed under the subject, and given a subject entry in the card catalogue. Other clippings may be mounted on note paper of octavo size and filed in pamphlet cases for safe keeping. This case may be lettered on the back with subject and volume number, which in abbreviated form should be repeated in pencil on the pamphlet itself, and serve as a reference or catalogue card. Sometimes enough material on one subject is clipped which when mounted will be found to be of sufficient interest and quantity to warrant binding in book form and being placed on the shelves with other volumes.

If the subject matter of a pamphlet is not considered of sufficient importance to enter in the current catalogue, but is still of enough interest to preserve, then it is easy to insert it with others of its kind where on occasion it may with slight trouble be found.

Manuscripts and letters may be bound by mounting them on transparent surgeon's plaster or architect's tracing paper. In this way it is possible to read a sheet written or printed on both sides. Mounted photographs, wood-cuts, newspaper clippings, manuscripts and letters are sometimes tastefully bound together to illustrate the life and work of some person or some notable historical event, making a unique and interesting volume or booklet.

Programs of women's and other clubs may be preserved in large manila envelopes and filed away in pamphlet cases in alphabetical or chronological order. Leaflets, announcements, constitutions of societies, and even concert and theater programs, lecture announcements, school programs—in fact, anything and everything—may be preserved and filed away either in manila envelopes or in the form of made-up pamphlets, and arranged either chronologically or alphabetically in pamphlet cases.

During political campaigns large scrap-books may be filled with

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leaflets, dodgers, broadsides, announcements, caricatures, posters, pictures, etc., illustrating the politics of the day.

THE MISSION OF THE PUBLIC LIBRARY

[The following paragraphs are taken from an article by Mr. Reuben Gold Thwaites, Secretary of the State Historical Society of Wisconsin.][1]

"All librarians who have in charge such treasures are aware of the general popular interest in old pamphlets, newspaper files, and the odds and ends of printed matter issued in ephemeral form, provided they are old enough to have ceased to be commonplace. That with which we are all familiar is commonplace, and generally held in slight value; but the commonplaces of one generation are the treasured relics of the next. It is not mere idle curiosity, this interest of ours in the things with which our fathers were familiar. Relics in museums enable us more accurately in imagination to redress the stage of history; but the literary ephemera of other days, preserved in libraries, are still more valuable as mirrors of the past. The chance advertisement in the old newspaper, the tattered playbill, the quaintly phrased pamphlet, or musty diary or letter of a former time, mean more to the modern historian than any other form of historical record. In earlier days, history was thought to be simply the doings of monarchs and the conduct of campaigns; but Macaulay and Green have shown us that the history of the people is what benefits us most,—how John and Mary lived in their wayside cottage, how Peter and Paul bargained in the market place, how the literati toiled in Grub street, and seafarers journeyed over the face of the deep.

"The other day Woodrow Wilson said, at the Princeton semi-centennial: 'The world's memory must be kept alive, or we shall never see an end to its old mistakes. We are in danger of becoming infantile in every generation. This is the real menace under which we cower in this age of change.' It is the office of the historian to keep the world's memory alive. There will never be an end of the writing of history. Some one has truly said, each generation must write all

[1] Taken from the *Proceedings of the State Historical Society of Wisconsin*, 1896.

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past history afresh, from its own changing standpoint. But that this may continue, and with increasing advantage, there must never be an end of accumulating historical material; each generation must accumulate its own, for the benefit of its successor.

"In the libraries of the old world, there are many magnificent collections of broadsides, leaflets, tracts, pamphlets, which earnest, thoughtful men have, in past generations, accumulated for our benefit. One of the most notable of these is the collection known as the Thomason Tracts in the British Museum—30,000 specimens of the literary flotsam and jetsam of the middle of the seventeenth century, —pamphlets, circulars, prospectuses, broadsides, programmes, and what not,—each one carefully labeled by the industrious London bookseller, Thomason, with the day of its acquisition. Thus we have, for the entire period of the civil war in England, a faithful day-by-day picture of surpassing interest and value, to which historians are ever turning as to an inexhaustible mine of material, and concerning which Macaulay and a host of others have recorded words of the warmest praise.

"In olden times, enterprises of this character were left to the chance of individual initiative. To-day, they may be better, more systematically, done by public librarians. It is not possible, nor is it advisable, for every public library to engage in a task of this character, upon any extended scale. It is sufficient that a few great libraries undertake missions of this sort, libraries, perhaps, in widely-separated cities; but certain it is, that each public library can and should make collections of this character for its own community, and the library at the county seat should seek to cover, so far as may be, its own county.

"It is difficult to specify just what the local library should make a serious business of collecting; it is easier to make a list of what should not be gathered. But especially would we urge the accumulation of newspaper files, the daily or weekly mirror of the community's life; and these files should, if possible, be complete back to the beginning. All manner of published reports should be obtained

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—those of the common council, the county board of supervisors, the various public institutions located in the community; the published memorial sermons, society year-books, printed rules and constitutions of local lodges, catalogues and programmes of local colleges and academies; published addresses of any sort; any manner of literature published by the churches, whether in the form of papers, membership lists, appeals for aid, or what not; programmes of local musicals, concerts, veteran camp fires, etc., would be found in time to have great interest to the local historian. In fact, all of this printed material will prove in due course of time to be a fund of information which shall make the library a Mecca for all who wish for any purpose to refresh their memory relative to the life of the town. Just as we regard everything familiar as commonplace and worthless, do we delude ourselves with the notion that we and ours are to live always. Librarians should remember that this generation and its affairs are but passing phases of world-life; in due course what they have gathered of the literary drift-wood of to-day will be of priceless value to their successors in office. Librarians are generally recognized as missionaries unto the present generation; but let us, in our zeal for present results, not forget to be as well missionaries unto the future, and thereby earn the praise which comes to him who plants a tree for the delectation of those who come after."

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CONTRIBUTORS

HORACE E. DEEMER, Chief Justice of the Supreme Court of Iowa. Born in Marshall County, Indiana, 1858. Graduated from the Law College of the State University of Iowa in 1879. Elected District Judge in 1886; reëlected in 1890. In 1894 he was appointed by Governor Frank D. Jackson as the sixth judge of the Supreme Court of Iowa. Through election and reëlection he has continued to occupy a position in the highest judicial tribunal of the State. His home is at Red Oak, Iowa.

DUREN JAMES HENDERSON WARD, Secretary of the Iowa Anthropological Association. (See THE IOWA JOURNAL OF HISTORY AND POLITICS for January, 1903.)

BENJAMIN FRANKLIN SHAMBAUGH, Professor of Political Science in the State University of Iowa. (See THE IOWA JOURNAL OF HISTORY AND POLITICS, for April, 1903.)

FRANK EDWARD HORACK, Instructor in Political Science at the State University of Iowa. Author of *The Organization and Control of Industrial Corporations.* (See THE IOWA JOURNAL OF HISTORY AND POLITICS for April, 1903.)

JESSE MACY, Professor of Political Science in Iowa College, Grinnell. Born in Henry County, Indiana, 1842. Graduated from Iowa College in 1870. Received the degree of A. M. from Iowa College in 1873 and the degree of LL.D. from Brown University in 1898. Author of *Civil Government in Iowa; Institutional Beginnings in a Western State; Our Government; A Government Text-Book for Iowa Schools; The English Constitution; Political Parties in the United States;* etc.

MARGARET BUDINGTON, Acting Librarian and Cataloguer of the State Historical Society of Iowa. (See THE IOWA JOURNAL OF HISTORY AND POLITICS for October, 1903.)

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THE NEGRO AND SLAVERY IN EARLY IOWA

As early as 1839 the question of the Negro made itself felt in Iowa. In that year "An Act to Regulate Blacks and Mulattoes" was passed by the Legislative Assembly.[1] By the provisions of this act every Negro or Mulatto before entering the Territory was required to show a certificate of freedom under seal of a judge or justice and to secure and give a bond of five hundred dollars to insure his good behavior. On failure to comply with these provisions proceedings for the seizure of the offender were to be instituted at once; and any person hiring or engaging any Negro or Mulatto who had not given bond was subject to a fine of not less than five nor more than one hundred dollars.

The earliest slave case in the history of Iowa was *In the Matter of Ralph* (*a colored man*) *on Habeas Corpus* which came before the supreme court of the Territory at the July term in 1839.[2] Ralph had been a slave in Missouri, but had contracted with his master to work in Iowa and to purchase his freedom at the end of five years on payment of five hundred and fifty dollars with five years' interest. Failing to make payment he was seized by his master. Whereupon the case was brought before the Supreme Court for hearing upon an application for a writ of *habeas corpus*. Chief Justice Charles Mason in delivering the decision took

[1] *Laws of Iowa*, 1838-39, p. 65.

[2] 1 Morris, 1.

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the advanced ground that Iowa was free soil by the act of March 6, 1820, which declared that slavery in the territory of which Iowa formed a part "shall be, and is hereby forever prohibited."[1] He held that the master, who, subsequently to that act, permitted his slave to become a resident in the Territory of Iowa, could not afterwards exercise any acts of ownership over him within the said Territory. And, while the law did not in express terms take away the master's property, it did declare that slaves were no longer property at all, so that the legal remedies for its restoration became altogether annihilated.

In the Constitutional Convention of 1844 a special committee in response to petitions which had been presented from sundry citizens reported on the question of Negro citizenship.[2] In their report the committee admitted the truth of the proposition that "all men are created equal and are endowed by their Creator with certain inalienable rights," and that the black man's rights are as sacred as those of the white man and should be so regarded. The committee, however, held that these truths become modified when man is considered as a part of the artificial state in which government places him. It was concluded that the whole subject should be treated as a question of public policy and contract where self-interest is just as properly consulted as in a private contract. "The negro not being a party to the government, has no right to partake of its

[1] "An Act to authorize the people of Missouri territory to form a constitution and a state government, and for the admission of such state into the Union on an equal footing with the original states, and to prohibit slavery in certain territories."—*U. S. Statutes at Large*, Vol. III, p. 545.

[2] Shambaugh's *History of the Constitutions of Iowa*, pp. 212–218.

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privileges."[1] Many petitions were received on the report, and although it was laid on the table, it represented the dominant sentiment in Iowa at that time.

The question of Negro suffrage was settled in the Convention of 1844 and in the subsequent Convention of 1846 by excluding colored citizens from the privileges of the suffrage. In the Convention of 1857 the question as to whether the Negro should be allowed to vote in Iowa was referred to the people, by whom it was decided that the Negro was not to enjoy the right of suffrage. Indeed, not until the year 1868 did the black man enjoy the rights and privileges of full citizenship; for in that year the word "white" was stricken from the suffrage clause of the Constitution,[2] and the Negro became "free and equal" in law as well as in fact.

When Iowa became a State in 1846 the population numbered 102,388. The Territory and all the domain surrounding it, save Missouri, had been reserved for freedom by the Missouri Compromise of 1820. Among the early settlers of Iowa were many persons from the South. They came from Virginia and the Carolinas, from Georgia, Kentucky, and Tennessee. Great numbers came from Missouri and Illinois. Not all of these settlers had been slave owners, but they had lived in a community where slavery was considered only natural and right. Thus it came about that not only were there people in Iowa who openly favored slavery, but there were others who actively encouraged the institution.

[1] *Journal of the Convention of 1844*, pp. 52–55.

[2] Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. I, p. 265.

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Until a year or two after the admission of Iowa into the Union opinion and sentiment on the slavery question were passive and did not assume any definite form. The new machinery of State government was adjusting itself; the representatives in Congress had not yet made their influence felt; streams of immigrants were pouring into the State; cities and towns were springing up; and the settler was everywhere interested in breaking the soil, clearing the timber, and garnering his harvest.

The principle of the Wilmot Proviso[1] became an issue of national importance in the campaigns of 1849 and 1850. The Whig party in the Iowa State Convention strongly favored the application of this Proviso to all territory then about to be acquired by the United States. They denounced the refusal of the Democratic party to instruct the Senators in Congress to vote for the measure, and declared that the federal government should adopt the necessary legislation to relieve itself of the responsibility of the institution of slavery.[2] The Democrats, on the other hand, deemed it inexpedient and improper to add to the further distraction of the public mind by demanding in the name of the Wilmot Proviso what was already amply secured by the laws of the land.[3]

Senator Augustus C. Dodge (from Iowa) opposed the measure in the United States Senate and triumphantly declared that Iowa was the only free State which never gave way to the doctrine. Speaking on the floor of the United

[1] *Congressional Globe*, 2d Session, 29th Congress, p. 303.

[2] Resolutions of the Whig State Convention, June 30, 1849.

[3] Resolutions of the Democratic State Convention, June 28, 1849.

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States Senate he said: "The time, in my humble judgment, has come when the representatives and people from the free states, if they wish to preserve the union of these states, must take a stand, a bold and determined stand against the free spirit of abolitionism..... Now, sir, I take my stand against it, and shall vote against the famous Wilmot Proviso.....because it is used as a mask from behind which abolition seeks to destroy the Constitution, and, as an inevitable result, the Union..... I am opposed to slavery in every shape and form, yet just so far as slavery is a part of the Constitution of my country, I go for it here and elsewhere."[1] Senator George W. Jones (from Iowa) while declaring his objection to slavery in every form, voted against the doctrine, stating that his State legislature, after electing his colleague and himself to the Senate, *refused* in the most emphatic manner to instruct its Senators to support the measure.[2]

The passage of the great Compromise of 1850 seems to have met with the approval of the people of the State of Iowa. The Whigs took no decided stand against it, and the Democrats hailed it as a peace offering. Senator Dodge still opposed slavery in the abstract but supported this measure on constitutional grounds. In the year after the passage of the bill resolutions on the Compromise were passed by the General Assembly of Iowa.[3] These resolutions, which were introduced in Congress, declared that, "Whatever may be the opinions of individuals as to

[1] *Congressional Globe*, 1st Session, 31st Congress, pp. 1085–1087.

[2] *Ibid*, p. 1716.

[3] *Laws of Iowa*, 1850–51, p. 244.

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the policy or details of said compromise measures yet it is the duty of every good citizen to conform to their requisitions and carry them out in good faith, seeking their modification or repeal, if such should be necessary, in the manner contemplated by the Constitution and the laws."[1] Senator Jones was certain that the resolutions reflected the sentiments of the Democratic party and of a small portion of the Whigs of Iowa. His colleague boasted that the Iowa Senators were two of the three Senators from the free States who voted for the Compromise measure, and that Senator Jones had since been returned to the United States Senate without any objection from any Democrat or Whig on account of his vote on this bill.[2]

A notable fugitive slave case in the early history of Iowa was that of *Ruel Daggs* vs. *Elihu Frazier et al.*, which came before the court at Burlington in June, 1850.[3] The plaintiff was a slave owner from Missouri and charged the defendants with harboring and concealing his slaves and with hindering and preventing their recapture. Indemnity to the extent of ten thousand dollars was asked for the damages done him by violation of the act of Congress of February 12, 1793.[4] The case had been continued from term to term and had attracted wide attention. The instructions of Judge J. J. Dyer to the jury disclose the attitude of the public mind toward the case at that time. He said: "You, gentlemen, have patiently and calmly heard this

[1] *Congressional Globe*, 1st Session, 32d Congress, p. 700.

[2] *Ibid*, 1st Session, 33d Congress, Appendix, p. 376.

[3] *Annals of Iowa*, April, 1903, pp. 9–46.

[4] *U. S. Statutes at Large*, Vol. I, p. 302.

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case, and thereby shown that you appreciate its importance. With the general excitement on this subject, and the many plans for its settlement on some satisfactory basis, we have nothing to do. Our business now is with the laws and the Constitution as they are, and not as we think they ought to be; and I doubt not, gentlemen, that you will come to the investigation of this case in your retirement with minds unbiased, unprejudiced, and with a sincere desire to render your verdict in accordance with the law and evidence submitted to you." Notwithstanding the intense popular feeling and prejudice on each side of the case, the jury followed the instructions of the judge and after being out an hour or two returned a verdict of guilty, and the plaintiff was awarded twenty-nine hundred dollars as damages.

The Whigs came into power in Iowa in 1854 with the election of Governor James W. Grimes. This same year witnessed the passage of the Kansas–Nebraska Act. Senator Dodge was a firm believer in the doctrine of "squatter sovereignty" and regarded the bill as the noblest tribute which had ever been offered by the Congress of the United States to the sovereignty of a free people. He declared his intention to vote for the bill because it recognized the doctrine of non-intervention as established by the Compromise of 1850, and because the people whom he represented had ever recognized and acted upon that doctrine.[1]

The Iowa Whigs, on the other hand, in State Convention recognized the binding force of the Missouri Compromise, and viewed the same as a *final* settlement of the question of

[1] *Congressional Globe*, 1st Session, 33d Congress, p. 375.

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slavery within the geographical limits to which it applied. The pretense of Senator Douglas that the Missouri Compromise was suppressed by the acts of 1850 was regarded as a proposition absurd and unreasonable on its face, conceived in bad faith, and prompted by an ignoble and most unworthy ambition for party and political preferment. The Iowa Senators and Representatives in Congress were strongly urged to oppose by all honorable means the passage of the Kansas-Nebraska Bill of Senator Douglas.[1]

Governor Grimes discussing the act in his inaugural address of December 9, 1854, declared that the primary motive of the measure was to extend the area of the slave territory, and thus give a political supremacy to the slave-holding States by virtue of representation of slave property. "It is a local institution, and to the States that maintain it belong its responsibilities and its perils. It is both the interest and the duty of the free States to prevent the increase and the extension of the slave power, by every constitutional means..... Congress can pass no law establishing or prohibiting it in the territories. If Congress can pass no such law, much less can it delegate such authority to the territorial legislatures, over whose acts it has ever exercised supervisory and restraining power..... It becomes the State of Iowa,—the only free child of the Missouri Compromise,—to let the world know, that she values the blessings that compromise has secured to her, and that she will never consent to become a party to the nationalization of slavery."[2]

[1] Resolutions of the Whig State Convention, Feb. 22, 1854.

[2] Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, p. 14.

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Until 1856 Iowa's stand on the slavery question had been conservative, but her attitude underwent a radical change in that year. By that time the Kansas-Nebraska Bill was causing anarchy and bloodshed in Kansas; the evil features of the Compromise of 1850 had aroused great moral indignation; the "Underground Railroad" was in extensive operation; the old Whig party had disintegrated; the Abolitionists, Free Soilers, dissatisfied Whigs, and Know-Nothings had assembled in convention together and had gone home as Republicans, with one creed and one baptism of faith. The election of James W. Grimes had, indeed, ended the Democratic control of Iowa.

In 1856 the voice of Senator James Harlan (from Iowa), whom the Whigs had elected to succeed Senator Dodge, was heard in a powerful and eloquent speech in favor of a bill authorizing the people of Kansas to form a State Constitution. First, he argued the existence of power in Congress to prohibit slavery in the Territories. Congress had exercised this power in declaratory acts following the acquisition of the Northwest Territory, Louisiana Territory, the State of Texas, and Oregon,—embracing a period of time commencing with 1787 and ending with 1850. There was not a single adverse decision in the adjudication of all the State and national courts from the foundation of the government. Secondly, he plead for the exercise of this power in the organization of territorial governments where slavery did not previously exist. Natural justice as interpreted by the founders of the Republic demanded it; the peace and quiet of the Territories required that this, and all great questions of state should be settled by the supreme legislature; and

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finally, the speedy exercise of this power seemed to be the only means for restoring to the people of Kansas the rights of freemen, of which they had been deprived by violence.[1]

Senator Jones, however, declared that the views of his colleague were not those of the people of Iowa.[2] In January of the next year the legislature of Iowa put itself on record as "unqualifiedly opposed to the further extension of slavery within the jurisdiction or by the sanction of the general government," insisting that "Congress shall exert all constitutional power to preserve our national territory free." The resolutions further requested the Representatives and instructed the Senators to exert their influence and vote for the admission of Kansas into the Union as a free state.[3]

Although there were in the State a number of people who favored the Fugitive Slave Law, vast numbers of slaves were helped to escape through Iowa by means of the "Underground Railroad." This route extended through the towns of Tabor, Lewis, Des Moines, Grinnell, Iowa City, West Liberty, De Witt, Low Moor, and Clinton. Its operators generally realized the illegality of their acts, but justified themselves on the ground that they were delivering an outraged race from cruel servitude.

Conditions in Kansas and the Dred Scott decision were matters of paramount moral and political interest from 1856 to 1860. Republican conventions and gubernatorial messages of that time deplored the outrages in Kansas and denounced the policy of the Democrats in regard to the

[1] *Congressional Globe*, 1st Session, 34th Congress, Appendix, p. 270–279.

[2] *Ibid*, p. 270.

[3] *Laws of Iowa*, 1856, p. 453.

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Territories. Governor Grimes declared that the efforts of the slavery men, and the attempts of the courts to destroy the rights of the States by decisions were endangering the rights of the freemen. "No candid mind," he said, "can now doubt that at least four-fifths of the *bona fide* citizens of the territory desire to erect it into a free state. We cannot be indifferent to the efforts of the people of Kansas to perpetuate freedom in that territory..... The people of Iowa look with alarm upon the constant aggressions of the slavery progagandists, but I confess that I look with equal alarm upon the manifest tendency of our government to consolidation."[1] Two years later Governor Samuel J. Kirkwood in his first inaugural said with reference to the Kansas–Nebraska Act: "the excuse offered for this wanton, uncalled for and most unfortunate act was the alleged desire to settle the question of slavery then in a state of perfect quiet and repose." President Pierce and his friends were severely arraigned for not having redeemed the pledges made before the election; and while the great mass of northern people condemned the act of John Brown at Harper's Ferry, he maintained they could not help admiring the disinterestedness of purpose by which they believed he was governed.[2] The minority party, the Democrats, persistently held that no power could prevent Kansas from making any laws on the subject of slavery.

Against the inaugural of Governor Kirkwood and against the resolution directing the printing and circulation of 7,500

[1] Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, pp. 67–68.

[2] *Ibid*, Vol. II, pp. 236–247.

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copies thereof, the Democrats of the House and Senate registered a vigorous protest. They objected to the circulation of the address at public expense; they protested against the sympathetic expressions in regard to John Brown and against the severe arraignment of President Pierce and his party. The last protest was "against the dissemination of such evil and bitter sentiments as are contained in the message."[1]

It is safe to say that the State of Iowa dissented strongly from the Dred Scott decision. It was maintained that the decision was unwarranted by the facts in the case, was extra-judicial and subversive of the policy of the founders of the republic. Free labor and slavery were said to be natural and irreconcilable foes and could not exist together. The Republicans looked with horror upon the renewal of the slave trade, and viewed the decision as alarming, sectional, and disloyal to the spirit of free institutions, declaring that it had no foundation in the federal Constitution, that it was at war with the verities of our history, civil and judicial, and that it was calculated to tolerate the enslaving of our race in all our States.[2] The Democrats in Convention did not attempt to justify the decision and declared that the Democratic party was not responsible for the decisions of the Supreme Court.[3]

Governor Ralph P. Lowe (of Iowa) discussing the decision in his inaugural of January 13, 1858, said: "Iowa the

[1] Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, pp. 247–251.

[2] Resolutions, Republican State Conventions, June 17, 1858, and June 22, 1859.

[3] Resolutions, Democratic State Convention, June 23, 1859.

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offspring of those liberal sentiments which prevailed in the better days of the Republic, when it was deemed no infringement either on the Constitution or on the rights of the South, to consecrate *her soil to freedom*, has been no idle spectator of these aggressive movements against the people of the North. In the late election she recorded her protest against that perversion of the Constitution which is breaking down one of the fortresses of liberty in this country. She has been taught to believe that the sacred instrument was intended as the 'bond of deliverance from all wrongs and freedom from all ranks.'" And, while the State of Iowa desired and hoped to maintain peaceful relations, nevertheless "she intends to resist all inroads upon the faith and doctrines and framers of the Constitution, as well as all encroachments upon the principles of political equality."[1]

Powerful anti-slavery and anti-Southern feeling was aroused early in 1860 by the requisition of Governor Letcher of Virginia for the surrender of Barclay Coppoc of Springdale, Iowa, who had taken part in the raid on Harper's Ferry. The first requisition was refused by Governor Kirkwood on account of certain legal and technical flaws. A vigorous and spirited correspondence between the two Governors resulted; and in response to a resolution of the Iowa House of Representatives, all the facts and correspondence in the case were sent to that body.[2] A second requisition in proper form was sent by Governor

[1] Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, p. 133.

[2] *Ibid*, Vol. II, pp. 378–402.

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Letcher and was honored by Governor Kirkwood. But Coppoc, with the aid of some members of the Legislature and his influential friends, had, in the meantime, escaped to Canada.[1] So intense was the public feeling that an armed guard was formed to prevent his arrest by the Virginia authorities.

Although Iowa was not so vitally concerned—morally and otherwise—as the other States in the institution of slavery, her attitude toward it was throughout unmistakable. When the issue came to the critical point her people met it with candid and fair discussion. The State's representatives in Congress spoke freely and with ability on the subject; the public press of the State did much to mould intelligent opinion; the political parties in the State made themselves felt in the formulation of national policies; the legislative resolutions and memorials on slavery are strong, conservative documents of that strenuous period of the State's history; John Brown and the outrages in Kansas accelerated active discussion and opinion; and for the final settlement of the great question the State of Iowa gave freely of her sons and of her treasure.

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[1] Gue's *History of Iowa*, Vol. II, pp. 17–24.

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SOME PHASES OF CORPORATE REGULATION IN THE STATE OF IOWA

The Constitution under which Iowa was admitted into the Union in 1846 directed the General Assembly to provide by "general laws" for the organization of corporations other than for "political or municipal purposes." By the same article the authority to pass "special laws" was denied and the creation of banking corporations prohibited.[1] The subsequent development of corporation law in Iowa is, therefore, to be sought in acts of a general character and uniform for the entire State.

THE ACT OF 1847

On November 30, 1846, the First General Assembly met at Iowa City, and within four days each branch thereof had appointed a "Standing Committee on Incorporations." In the House of Representatives the committee consisted of Messrs. Sells, Hardy, McManus, Olmstead, and Cochran;[2] while in the Senate Messrs. Hughes, Benton, Bradley, Springer, and Browning were appointed.[3] The bill relating to corporations, which, after discussion and amendment, passed the General Assembly, originated in the House of Representatives and was introduced on January 19, 1847, by Mr. Hardy, a member of the Committee on Incor-

[1] Article 9.

[2] *Journal of the House of Representatives*, 1846–7, p. 36.

[3] *Journal of the Senate*, 1846–7, p. 26.

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porations. It was entitled, "A Bill to Authorize General Incorporations,"[1] and is recorded as House File No. 49.

On January 20, this bill was read a second time in the House of Representatives and then referred to the Committee on Incorporations. On January 29, 1847, Mr. Sells of the Committee on Incorporations reported the bill as amended by the Committee. The journal of the House records that the same "was read and remains with the orders of the day." On the day following, however, the bill was "committed to committee of the whole House, for Monday next," where it was discussed and further amended; and on February 3, 1847, it was read a third time and passed.[2]

On the day following its passage in the House of Representatives it was introduced into the Senate, where it was read a first and second time and referred to the Committee on Incorporations. The Senate Committee reported the bill back to the Senate without amendment on February 4. It was then referred to the Committee of the Whole and made a special order for two o'clock of the same day.[3] In reference to the action in the Committee of the Whole, the journal reads: "After some time spent therein, the committee rose, and reported the said bill back, with sundry amendments, which were concurred in, and, on motion of Mr. Harbour, the thirteenth rule was suspended, and said bill was read a third time and passed." The bill as amended

[1] *Journal of the House of Representatives*, 1846–7, p. 165.

[2] *Ibid*, p. 233.

[3] *Journal of the Senate*, 1846–7, p. 222.

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having passed the House of Representatives was signed by the Governor and became a law on February 22, 1847.[1]

Thus the first general incorporation law of the State of Iowa was placed upon the statute books without much discussion. It does not seem to have been a subject of newspaper comment.[2] The provisions of this important statute, which is entitled "An Act to authorize General Incorporations," are as follows:—

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That any number of persons may hereafter incorporate themselves for the transaction of any business which may be the lawful subject of a general partnership, including the establishment of ferries, the construction of railroads, and other works of internal improvement.

SEC. 2. They may make such regulations as they please in relation to the management of their business, not incompatible with an honest and legal purpose.

SEC. 3. They may render their individual interest in the corporation transferable.

SEC. 4. The death of any of its members shall not terminate the corporation.

SEC. 5. They may sue and be sued in their corporate name, and have a common seal.

SEC. 6. They may exempt private property from corporate debts, and may hold, buy and sell real estate; *Provided*, The requisitions of this act are substantially complied with.

SEC. 7. Previous to commencing business they shall adopt arti-

[1] *Laws of Iowa*, 1846–1847, p. 101.

[2] Dr. William Salter, of Burlington, Iowa, in a letter to the writer says: "For the General Incorporation Law of the State, provided for by the Constitution of 1846, we are indebted to the wise and sagacious influence of Judge Charles Mason." The act is concise and shows that the author was thoroughly familiar with the problems of corporate organization and control.

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cles of incorporation, which shall be recorded in the office of the recorder of deeds in the county where the principal place of business is; and, further, all corporations for the purpose of constructing railroads, canals and other works of internal improvement, shall file a certified copy of their articles of association in the office of the secretary.

SEC. 8. A notice shall be published four weeks in succession in some newspaper in such county, or, if no newspaper be printed therein, then such publication shall be made in some newspaper as convenient as practicable thereto.

SEC. 9. A failure to comply with either of the requisitions contained in the two preceding sections, shall render their individual property liable on all contracts.

SEC. 10. The notice required by the eighth section shall contain:

First.—The name of the corporation, and the principal places of transacting business.

Second—The general nature of the business to be transacted.

Third—The amount of capital stock incorporated.

Fourth—The amount of capital stock actually paid in, and the times and conditions on which the remainder is to be paid.

Fifth—The time of the commencement and termination of the association.

Sixth—The officers of the company and the time of holding elections.

SEC. 11. A like publication and recording shall be made upon renewal, or any essential alteration of the articles of incorporation.

SEC. 12. The corporation shall not be permitted to continue for more than twenty years at once, but may be renewed for a like time by the unanimous consent of the corporators.

SEC. 13. The corporation cannot be voluntarily dissolved previous to the period first fixed upon, without giving the same previous newspaper publication of its dissolution, as is required by section eight in its creation.

SEC. 14. Intentional fraud in the transaction of the affairs of the

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company shall subject those guilty thereof to fine and imprisonment, or both, at the discretion of the court. Any person who shall receive injury from such fraud, may also recover damages therefor in a civil suit against such corporation.

SEC. 15. The payment of dividends which shall leave insufficient funds to meet the liabilities of the company, shall be deemed fraud.

SEC. 16. A failure to comply with the foregoing requisitions, or a substantial departure from the articles of association, shall render the individual property of the members of the company liable for the corporate debts.

SEC. 17. Either such departure, or the practice of fraud by the company, shall cause a forfeiture of all their privileges under this act, and the courts may proceed to wind up their business, as in cases of special corporations that have violated their charters.

SEC. 18. Legal process may be served upon any officer of the company, and if there be no officers, then upon any member thereof. This shall be deemed sufficient service upon the company.

SEC. 19. Whenever an execution shall be issued against the company, and, after reasonable inquiries, no corporate property can be found sufficient to satisfy the same, it shall be lawful to serve a notice upon the acting manager of the business of the company, or if none such can be found, then upon any member thereof, requiring them to appear before the District Court of the county where the judgment was obtained, and show cause why the individual property of the members of the company should not be made liable, and, if no sufficient cause be shown, then the court shall order the execution to be levied upon such property.

SEC. 20. Property seized by virtue of such execution shall only be released from the effects of the law by either:

First—Pointing out sufficient company property whereon to levy; in which case the costs thus far made shall be added to the amount to be collected from the company by the execution—or,

Second—By making and filing in the clerk's office an affidavit that the funds of the company are exhausted, and by informing the officer

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who made the levy of the same. In this case the officer shall forthwith make return of that fact to the court from whence the execution was issued. He shall thereupon suspend all further proceedings under the execution, and the property levied upon shall be treated as though held by virtue of a writ of attachment until the further order of the court.

SEC. 21. The plaintiff may direct a release of the property thus taken in execution, or he may appear before the District Court at the return day of the execution, or as early as practicable afterwards, and, in answer to a rule to show cause why the property should not be released, may allege such matters as will render the private property of the members of the company liable. Issue shall thereupon be joined, to be tried by a jury.

SEC. 22. Upon such trial it shall be necessary for the company to exhibit their books and papers, if required, and explain by those, or by some other means, the fairness and regularity of their business transactions. The judgment of the Court shall be in accordance with the finding of the jury.

SEC. 23. Whenever the private property of one member of the company is thus held, he shall have a claim for indemnity against the company.

SEC. 24. Any of the members may sue the company at law for a private demand against the same.

SEC. 25. All corporations whose charter shall expire by their own limitations, or shall be annulled by forfeiture or otherwise, shall nevertheless be continued bodies corporate for the term of——— years[1] after the time when they would have been so dissolved, for the purpose of prosecuting and defending suits by or against them, and of enabling them gradually to settle and close their concerns, to dispose of and convey their property, and to divide their capital stock, but not for the purpose of continuing the business for which such corporation or corporations have been, or may be, incorporated.

[1] This section was added by the Committee on Incorporations in the House and therein the number of years is stated as three (see *House Journal*, 1846-7, p. 208). While in the laws passed the number of years is left vacant.

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SEC. 26. The private property of each stockholder shall be liable for all the debts of the corporation, to the amount of stock owned by said stockholder at the time when such debts were contracted, and also to the amount of stock owned by said stockholder at any subsequent time.

This act was amended January 15, 1849, to apply to the Navigation and Hydraulic Company of the Mississippi Rapids, allowing said company to acquire the right of way for a canal; but the private property of the directors and stock-holders was made liable where they had authorized the creation of debts or liabilities.[1]

THE CODE OF 1851

On January 25, 1848, an act was approved "to provide for the appointing of Commissioners to draft, revise and arrange a Code of Laws." The first section of this act names Charles Mason, William G. Woodard, and Stephen Hempstead as the Commissioners.[2] The result of their labors is the Code of 1851. In this Code the subject of corporations is treated in title X, chapter 43, which is composed of thirty-five sections, that is, 673 to 707 inclusive.

Section 673 of the Code of 1851 is much the same as the first section of the act of 1847 except that "any lawful business" takes the place of "any business which may be the lawful subject of a general partnership," and bridges are included in the specific purposes of organization.

In the act of 1847 the general powers granted are contained in sections two to six inclusive. In the Code of 1851 there are seven specific powers granted as follows:

[1] *Laws of Iowa*, 1848–49, p. 120.

[2] *Laws of Iowa*, extra session, 1848, p. 24.

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"*First*, to have perpetual succession; *Second*, to sue and be sued by its corporate name; *Third*, to have a common seal which it may alter at pleasure; *Fourth*, to render the interests of the stockholders transferable; *Fifth*, to exempt the private property of its members from liability for corporate debts except as herein otherwise declared; *Sixth*, to make contracts, acquire and transfer property, possessing the same powers in such respects as private individuals now enjoy; and *Seventh*, to establish by-laws and make all rules and regulations deemed expedient for the management of their affairs, in accordance with law and not incompatible with an honest purpose."[1]

Comparison will show that while the order has been changed the powers granted, with slight modifications, are the same as in the act of 1847. Sections 675 and 676 of the Code of 1851 are the same as section 7 of act of 1847 with the exception that corporations for the construction of internal improvements must fix in their articles of incorporation "the highest amount of indebtedness or liability to which the corporation is at any one time to be subject, which must in no case, except in that of the risks of insurance companies, exceed two-thirds of its capital stock."[2]

Sections 677 and 678 of the Code of 1851 are about the same as sections 8 and 10 of the act of 1847, with the exception that under the Code provision, corporations were not required to state the amount of capital stock *actually paid in*, as was required in the act of 1847.[3] Under the

[1] *Code of 1851*, section 674, p. 109.

[2] *Ibid*, p. 109.

[3] This, however, was required by the provisions of section 685 of the *Code of 1851* relating to the posted statement of assets and liabilities. See below, p. 494.

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Code two additional statements were required, namely, "the highest amount of indebtedness or liability to which the corporation is at any time to subject itself" and "whether private property is to be exempt from the corporate debts."[1]

Sections 9 and 16 of the act of 1847 relating to individual liability are summed up in section 689 of the Code of 1851 as follows: "A failure to comply substantially with the foregoing requisitions in relation to organization and publicity renders the individual property of all the stockholders liable for the corporate debts."[2] Section 17 of the act of 1847 and section 690 of the Code of 1851 relating to forfeitures are alike. The content of section 11 of the act of 1847 and of section 680 of the Code of 1851 are likewise the same.

The duration of corporations under the act of 1847 was limited to twenty years. While under the Code of 1851 corporations organized for the construction of internal improvements might endure for fifty years; while all others were not to exceed twenty years.

The section on dissolution in the act of 1847 (section 13) is embodied in two sections, sections 682 and 683 of the Code of 1851, and with the addition that dissolution prior to the period fixed in the articles of incorporation can not be made "except by unanimous consent, unless a different rule has been adopted in their articles."

Sections 684 and 685 of the Code of 1851 relate to the now popular subject of *publicity* and are as follows:—

A copy of the by-laws of the corporation with the names of all its

[1] *Code of 1851*, p. 110.

[2] *Ibid*, p. 111.

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officers appended thereto must be posted in the principal place of business and be subject to public inspection.

A statement of the amount of the capital stock subscribed, the amount of capital actually paid in, and the amount of indebtedness of the company in a general way, must also be kept posted up in like manner, which statement must be corrected as often as any material change takes place in relation to any part of the subject matter of such statement.[1]

These sections are still in force appearing as sections 1624 and 1625 of the Code of 1897.

Sections 14, 15, and 17 of the act of 1847 and sections 686, 687, 688, and 690 of the Code of 1851 relate to fraudulent transactions, defining the penalties and liabilities. The sections of the Code, however, are more explicit as to what constitutes fraud within the meaning of the act than are those in the act of 1847.

Section 18 of the act of 1847 relating to how process may be served upon the company is not found at all in the Code of 1851. But sections 19, 20, 21, and 23 of the act of 1847 are contained in more explicit detail in sections 696, 697, and 698 of the Code of 1851.

The twenty-second section, relating to the production of books in court, in the act of 1847 is essentially the same in section 701 of the Code of 1851; while section 25 of the act of 1847 relating to the winding up of companies appears as section 694 of the Code of 1851 as follows: "Corporations whose charters expire by their own limitation or by the voluntary act of the stockholders may nevertheless continue to act for the purpose of winding up their concerns, but for no other purpose."[2]

[1] *Code of 1851*, p. 110. [2] *Ibid*, p. 112.

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Provisions relating to the liability of the private property of members, found in section 26 of the act of 1847, are limited to the unpaid installments of stock in section 695 of the Code of 1851.

The following sections of the Code of 1851 are additions to the act of 1847:—

Any corporation organized or attempted to be organized in accordance with the provisions of this chapter shall cease to exist by the non-user of its franchises for two years at any one time, but such body shall not forfeit its franchises by reason of its omission to elect officers or to hold meetings at any time prescribed by the by-laws, provided such act be done within two years of the time appointed therefor. (Sec. 693.)

For the purpose of repairs, rebuilding, or enlarging, or to meet contingencies, or for the purpose of a sinking-fund, the corporation may establish a fund which they may loan and in relation to which they may take the proper securities. (Sec. 699.)

When the franchise of a corporation has been levied upon under an execution and sold the corporators shall not have power to dissolve the corporation so as to destroy the franchise, and if they neglect to keep up an organization sufficient to enable the business to proceed the purchaser thereupon becomes vested with all the powers of the corporation requisite therefor; and when it becomes impracticable for an individual so to conduct them and in cases where doubts and difficulties not herein provided for arise, the purchaser may apply by petition to the district court which is hereby vested with authority to make any orders requisite for carrying into effect the intent of this chapter in this respect. (Sec. 700.)

A single individual may entitle himself to all the advantages of this chapter provided he complies substantially with all its requirements, omitting those which from the nature of the case are inapplicable. (Sec. 702.)

Persons acting as a corporation under the provisions of this chap-

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ter will be presumed to be legally incorporated until the contrary is shown; and no such franchise shall be declared actually null or forfeited except in a regular proceeding brought for that purpose. (Sec. 703.)

No body of men acting as a corporation under the provisions of this chapter shall be permitted to set up the want of a legal organization as a defense to an action against them as a corporation, nor shall any person sued on a contract made with such a corporation or sued for an injury to its property or a wrong done to its interests be permitted to set up a want of such legal organization in his defense. (Sec. 704.)

Corporations regularly organized under the general law heretofore in force, by adapting their articles of association to the provisions of this chapter and by making the required publication of the change as well as of their intention to act under the foregoing provisions, will be entitled to all the advantages and subjected to all the liabilities above provided for, but the change in their articles of association must be made in accordance with those articles or by the unanimous consent of the stockholders. (Sec. 705.)

Mutual insurance companies organized under the provisions of this chapter may render their premium notes a lien upon the whole or any part of the real estate upon which the property insured is situate, whether such real estate is or is not exempt from other liabilities as a homestead, but such lien will not attach until the premium note stating the property on which it is a lien is filed for record and treated in the same manner as though it were a mortgage from the maker thereof to the company except that it need not be acknowledged. (Sec. 706.)

Nothing herein contained is intended to affect the interests of companies already organized farther than is above expressed. (Sec. 707.)

THE REVISION OF 1860

The corporation law of Iowa as found in the Code of 1851 received but two slight amendments before the Revi-

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sion of 1860. In 1858 section 689 was modified so as not to apply to railroad corporations; and in 1860 section 681 was amended to permit agricultural, horticultural, and cemetery associations to incorporate for such time as they might see fit under certain conditions. With these exceptions the corporation law of the Code of 1851 is repeated verbatim in the Revision of 1860.

CORPORATIONS AND THE CONSTITUTION OF 1857

Between the adoption of the Code of 1851 and the Revision of 1860 the present Constitution of Iowa was adopted in 1857. The subject of corporations was one of the most vigorously contested topics considered by the Convention of 1857. An attempt was made to insert into the Bill of Rights a provision that "no privileges or immunities shall ever be granted, that may not be altered, revoked or repealed by the General Assembly."[1] This failed to pass as a part of the Bill of Rights but was inserted in the article on incorporations, and appears as section 12 of article 8.

In view of the present interest in and discussion of the corporation problem the debates of the Convention of 1857 are exceedingly interesting. Extracts of some of the speeches delivered in that convention could hardly be improved upon by the most ardent anti-trust advocate of today or the zealous defender of the *rights* of aggregate capital.[2]

[1] *Debates of the Constitutional Convention of 1857*, Vol. I, pp. 96, 104, 148.

[2] The following is given in illustration:

"The amendment reported by the committee, or some equivalent for it I am in favor of. The history of our country has proven this fact: that corporate bodies with exclusive privileges have been growing upon us; have been intrenching themselves in the strongholds of our government; that they have been surrounding themselves with privilege after privilege, until they have come in fact

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The Constitution as finally adopted by the Convention of 1857 and by the people contained an article of twelve sections on corporations. The first section reiterates the principle of general incorporation contained in the Constitution of 1846, as follows:—

SECTION 1. No corporation shall be created by special laws; but the General Assembly shall provide, by general laws, for the organization of all corporations hereafter to be created, except as hereinafter provided.

The second section declares all corporate property subject to taxation the same as that of the individual. The third section prohibits the State from becoming a stockholder in any corporation. All of the other sections except the last refer to banking corporations, which were prohibited by the Constitution of 1846. In fact the prohibition of banking corporations by the Constitution of 1846 was largely responsible for the calling of the Convention of 1857. The last section of the article on corporations in the Constitution reads:—

SECTION 12. Subject to the provisions of this article, the General Assembly shall have power to amend or repeal all laws for the

to control the action of the legislatures of the older States of the northern part of our confederacy at least. And I am opposed to the principle that would allow our legislature to grant those privileges and those charters, and to create these corporations without having any power to put any limit upon them. They are represented to be creatures without souls, mercenary, grasping, over-reaching; in short, so many stepping stones to an aristocratic government, and opposed directly to the first principles of a republican government. I am in favor of putting some check upon this system, of having something incorporated into our constitution which would have a tendency to check this growing evil in our country. And I know no better way to do that than by allowing the legislature that creates these corporations the power of repealing, modifying or annulling them as the wishes of the people may require, so that when they are once brought into existence they may not be forever independent of the will of the people." Speech of John T. Clark in the convention, Jan. 30, 1857. See *Debates of the Convention*, Vol. I, p. 106.

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organization or creation of corporations, or granting of special or exclusive privileges or immunities, by a vote of two-thirds of each branch of the General Assembly; and no exclusive privileges, except as in this article provided, shall ever be granted.

THE ACT OF 1870

As already stated the Code of Iowa was revised after the adoption of the new Constitution in 1857; and the Revision of 1860 remained in force except as modified by the acts of the General Assembly until the Code underwent another revision in 1873.

Chapter 172 of the acts of the Thirteenth General Assembly is "AN ACT to Amend Chapters 52 and 53 of the Revision of 1860, in relation to Corporations."[1] This act, which was approved April 16, 1870, is composed of eleven sections, the first of which simply designates the sections of the Code of 1860 which are to be amended. The second section requires the recording of the articles of incorporation in the office of the Secretary of State in addition to the recording in the office of the Recorder of Deeds of the county in which the principal place of business of the corporation is located. The third section simply strikes out the special requirement, imposed upon corporations for the construction of internal improvements, relative to the filing of articles of incorporation in the office of the Secretary of State, the original section of the Code of 1860 having made such filing obligatory upon all such corporations.

The fourth section amends section 1156 of the Code of 1860 to make it harmonize with the two preceding sections. Section five requires a copy of the By-laws and the names

[1] *Laws of Iowa*, 1870, p. 218.

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of the officers to be filed with the Secretary of State in addition to the posting required by section 1161 of the Code of 1860. The sixth section makes more explicit the individual liability of the stockholder by adding: "Neither can provisions in the articles of incorporations exempt" the stockholder from individual liability to the amount of his unpaid installments, etc. The other sections of the act, except the last, refer to "corporations other than those for pecuniary profit" and hence will not be considered in this connection.

The eleventh section provides that,

> Any corporation organized for the purposes of pecuniary profit, pursuant to the provisions of chapter 52, of the Revision of 1860, or amendments thereto, which shall fail to have its articles of incorporation recorded in the office of the Secretary of State, within three months after the taking effect of this act, shall be prohibited from doing businesss as a corporation: *Provided*, That nothing in this section shall be construed so as to relieve such corporation from the fulfillment of all contracts made prior to the taking effect of this act, or to relieve individual members thereof from liability to the amount of the unpaid installments on the stock owned by them, or transferred by them for the purpose of defrauding creditors.

Chapter 88 of the laws of the Fourteenth General Assembly is simply an act legalizing "the acts, doings, and contracts" of those corporations which had failed to comply with the provisions of sections 1155 and 1156 of the Code of 1860 and chapter 172 of the laws of the Thirteenth General Assembly relative to publishing a notice of incorporation and filing articles of incorporation with the Secretary of State as required.

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THE CODE OF 1873

The corporation law of Iowa as it appears in the Code of 1873 is practically what it was in the Revision of 1860 plus the amendments made by the Thirteenth General Assembly as noted above. But in the Revision of 1873 there is a more logical arrangement of matter.

In some sections there are slight verbal changes, but most of the sections are repeated verbatim. The following exceptions, however, should be noted:—The section on the duration of charters in the Revision of 1860 (Section 1158) is modified so as to permit life insurance companies to endure for fifty years. In the third section of the part treating of the liability of private property for corporate debts in the Code of 1873 (Sec. 1084) a clause, not found in the Revision of 1860, is added, declaring that the stockholder "shall not be permitted to controvert the validity of the judgment rendered against the corporation, unless it was rendered through fraud and collusion."

Section 1180 of Code 1860, asserting the presumption of legal incorporation until proven otherwise, was omitted from the Code of 1873, as were also sections 1182, 1183, and 1184. A general insurance law had been adopted and matters relating to insurance companies were naturally taken from the general corporation act. The other two sections referring to corporations organized at the time of the adoption of the Code of 1860 were probably deemed inapplicable.[1]

The last section of the corporation law as it appears in

[1] *Cf.*, sections 705–7, Code 1851, which are the same as sections 1112–14, 1117 of Revision of 1860, p. 496 above.

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the Code of 1873 is, however, new and reinforces by legislation the power asserted in section twelve of article eight of the Constitution relative to corporations.[1] This section reads as follows:—

> The articles of incorporation, by-laws, rules, and regulations of corporations hereafter organized under the provisions of this title, or whose organization may be adopted or amended hereunder, shall, at all times, be subject to legislative control, and may be, at any time, altered, abridged, or set aside by law, and every franchise obtained, used, or enjoyed by such corporation, may be regulated, withheld, or be subject to conditions imposed upon the enjoyment thereof, whenever the general assembly shall deem necessary for the public good. (Sec. 1090, Code 1873).

LEGISLATION BETWEEN 1873 AND 1897

Since the Code of 1873 there has been but one authorized Code, namely, the Code of 1897 and the supplement of 1902. All references, therefore, to changes or additions in the corporation law between 1873 and 1897 will be cited as they appear in the session laws. Chapter 32 of the laws of the Sixteenth General Assembly is an almost verbatim copy of chapter 88 of the laws of the Fourteenth General Assembly[2] being a legalizing act as before.

The Seventeenth General Assembly repealed sections 1060 and 1064 of the Code of 1873 and enacted in their stead sections slightly changed. By the new section, 1060, the articles of incorporation must be signed and acknowledged by the incorporators and then recorded and filed as before.[3] The new section, 1064, adds to the prerequisites

[1] See above, p. 498.

[2] See above, p. 500.

[3] See above, pp. 487, 499.

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for beginning business that the articles be recorded in the office of the Secretary of State.

Two acts were passed by the Eighteenth General Assembly, namely, chapter 57 which aimed to relieve corporations engaged in manufacturing from double taxation, and chapter 208 which relates entirely to banking and need not concern us in this connection.

The Twentieth General Assembly amended section 1061 of the Code of 1873, relating to the limit of indebtedness, by adding to it the following:—

That section 1061, title IX, chapter 1, of the Code of 1873, be amended by adding thereto the proviso, as follows:

Provided, That the provisions of this section shall not apply to the bonds or other railway securities to be hereafter issued or guaranteed by railway companies of this state, in aid of the location, construction and equipment of railways, to the amount of not exceeding sixteen thousand dollars per mile of single track, standard gauge, or eight thousand dollars per mile of single track, narrow gauge, lines of road for each mile of railway actually constructed and equipped.

The Twenty-first General Assembly also amended this same section (1061) by adding:

That Section 1061 of the Code of 1873, be further amended by adding thereto the proviso as follows: *Provided*, further, that the provisions of this section shall not apply to the debentures or bonds of any company, duly incorporated under the provisions of this chapter, the payment of which debentures or bonds shall be secured by an actual transfer of real estate securities for the benefit and protection of purchasers of said debentures or bonds, such securities to be at least equal in amount to the par value of such bonds or debentures, and to be first liens upon unencumbered real estate worth at least twice the amount loaned thereon.

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The Twenty-first General Assembly also passed the first act for the regulation of foreign corporations in the State of Iowa. This act is entitled "An Act Requiring Foreign Corporations to File their Articles of Incorporations, with the Secretary of State, and Imposing Certain Conditions upon Such Corporations Transacting Business in the State." It specially exempted mercantile and manufacturing companies organized in other States from its operation and applied particularly to corporations exercising the right of eminent domain.

The text of this act, which was approved April 6, 1886, is as follows:—

SECTION 1. That hereafter any corporation for pecuniary profit other than for carrying on mercantile or manufacturing business organized under the laws of any other state or of any territory of the United States or of any foreign country desiring to transact its business, or to continue in the transaction of its business in this state shall be and hereby is required, on and after September [first] A. D. 1886 to file with the secretary of state a certified copy of its articles of incorporation duly attested, accompanied by a resolution of its board of directors or stock-holders, authorizing the filing thereof and also authorizing service of process to be made upon any of its officers or agents in this state engaged in transacting its business, and requesting the issuance to such corporation of a permit to transact business in this state. Said application to contain a stipulation that said permit shall be subject to each of the provisions of this act. And thereupon the secretary of state shall issue to such corporation a permit in such form as he may prescribe for the general transaction of the business of such corporation. And upon the receipt of such permit such corporation shall be permitted and authorizcd to conduct and carry on its business in this state. Provided that nothing in this act contained,

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shall be construed, to prevent any foreign corporations, from buying, selling, and otherwise dealing, in notes, bonds, mortgages, and other securities, or from enforcing the collection of the same, in the federal courts, in the same manner, and to the same extent, as is now authorized by law.

SEC. 2. No foreign corporation which has not in good faith complied with the provisions of this act, and taken out a permit, shall hereafter be authorized to exercise the power of eminent domain or exercise any of the rights and privileges conferred upon corporations until they so have complied herewith and taken out such permit.

SEC. 3. Any foreign corporation sued or impleaded in any of the courts of this state upon any contract made or executed in this state or to be performed in this state or for any act or omission, public or private, arising, originating, or happening in the state, who shall remove any such cause from such state court into any of the federal courts held or sitting in this state, for the cause that such corporation is a non-resident of this state or a resident of another state than that of the adverse party, or of local prejudice against such corporation, shall thereupon forfeit and render null and void any permit issued or authority granted to such corporation to transact business in this state; such forfeiture to be determined from the record of removal, and to date from the date of filing of the application on which such removal is affected, and whenever any corporation shall thus forfeit its said permit no new permit shall be issued to it for the space of three months, unless the executive council shall for satisfactory reasons cause it to be issued sooner.

SEC. 4. Any foreign corporation that shall carry on its business and transact the same on and after September 1, 1886 in the state of Iowa by its officers, agents, or otherwise, without having complied with this statute and taken out, and having a valid permit shall forfeit and pay to the state for each and every day in which such business is transacted and carried on the sum of one hundred dollars ($100) to be recovered by suit in any court having jurisdiction.

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And any agent, officer or employe who shall knowingly act or transact such business for such corporation when it has no valid permit as provided herein shall be guilty of a misdemeanor and for each offense shall be fined not to exceed one hundred dollars ($100) or imprisoned in the county jail not to exceed thirty days and pay all costs of prosecution.

SEC. 5. All acts and parts of acts inconsistent with the provisions hereof are hereby repealed; provided, that nothing contained in this act shall relieve any company, corporation, association or partnership from the performance of any duty or obligation now enjoined upon them or required of them or either of them by the laws now in force.

The Twenty-second General Assembly added to the purposes of organization mentioned in section 1058 of the Code of 1873 "*ownership*, *operation*, and *maintenance* of canals, railways, bridges," etc., and further added as a purpose of organization, "the purchase, ownership, operation and maintenance of any Railroad sold or transferred under power of sale or foreclosure of any mortgage deed or trust."[1] Section 1065 of the Code of 1873, which declared that no change in the articles of association would be valid unless recorded and published as the original articles were required to be, was repealed in this same session and in its place the following was enacted:

That any of the provisions of the Articles of Incorporation may be changed at any annual meeting of the stockholders or special meeting called for that purpose; but said changes shall not be valid unless recorded and published as the original articles are required to be; and said changes in the Articles need only be signed and acknowledged by the officers of said Corporation.[2]

[1] *Laws of Iowa*, 1888, p. 127.

[2] *Ibid*, p. 128.

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The Twenty-sixth General Assembly amended section 1078 of the Code of 1873, which treats of the conditions under which the transfer of shares is valid, by adding thereto the following:—

And provided further that when any shares of stock shall be transferred to any corporation as collateral security, such corporation may notify the secretary of the corporation whose stock is transferred as aforesaid, and from the time of such notice and until notice that said stock shall have ceased to be held as collateral security said stock so transferred and noticed as aforesaid shall be considered in law as transferred on the books of the corporation which issued said stock without any actual transfer on the books of such corporation of such stock. In such case it shall be the duty of the secretary or cashier of the corporation to which such stock shall have been transferred as collateral security at once upon its ceasing to be so held to inform the secretary of the corporation issuing such stock of such fact.

The secretary of the company whose stock is transferred as collateral shall keep a record showing such notice of transfer as collateral, and notice of discharge as collateral, subject to public inspection; and *provided*, further, that no holder of stock as collateral security shall be liable for assessments on the same.

An addition was also made to the corporation law of Iowa at this session of the General Assembly by the adoption of "An Act regulating fees for the incorporation and the increase in capital stock of companies and corporations in the State of Iowa" which is as follows:—

SECTION 1. Any corporation for pecuniary profit hereafter organized or doing business in Iowa under the laws of the state, shall pay to the secretary of state, before a certificate of incorporation is issued, an incorporation fee of twenty-five dollars, and for all capital stock in excess of ten thousand dollars an additional fee of one dol-

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lar per thousand upon all of its authorized capital stock. *Provided*, that this act shall not apply to building and loan associations, corporations organized for the manufacture of butter, cheese, or other dairy products, and workmen's co-operative associations and farmers' mutual insurance companies; and in no event shall the fees collected under this act exceed the sum of three hundred and fifty dollars for a single incorporation.

SEC. 2. Any corporation now organized and doing business under the laws of this state that shall increase its capital stock shall pay a fee to the secretary of state of one dollar for each thousand dollars of such increase.

SEC. 3. It shall be unlawful for any corporation to do business unless the articles of any such corporation are filed with the secretary of state; and unless such fee or fees are paid within thirty days from the filing of the same with the proper county recorder, its organization shall be deemed incomplete and shall be held to be invalid as a body corporate.[1]

THE CODE OF 1897

In the new Code of 1897 the subject of corporations appears as chapter 1 title IX, just as it did in the old Code of 1873. But one section of the Code of 1873 was omitted entirely. This was section 1070, which referred to the duration of agricultural, horticultural, and cemetery associations. It was taken from the chapter on corporations for profit and the substance thereof was incorporated into the chapter on corporations not for profit. Three of the sections are entirely new, the others being repetitions or modifications of the sections in the Code of 1873. The changes or modifications will be noted in the following paragraphs.

Section 1058, was made much shorter, and the amend-

[1] *Laws of Iowa*, 1896, p. 97.

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ments made to this section by the Twenty-second General General Assembly were not retained. This section now reads that "any number of persons may become incorporated for the transaction of any lawful business, but such incorporation confers no power or privilege not possessed by natural persons, except as hereinafter provided."[1] Section 1608, contains the same provision as was found in the Code of 1851, the Revision of 1860, and the Code of 1873, entitling a single individual to incorporate himself, with the addition that "if he adopts the name of an individual or individuals as that of the corporation, he must add thereto the word 'incorporated.'"[2]

Section 1609, is, with the exception of a few verbal changes, the same as section 1059 of the Code of 1873 relative to powers. Section 1610 relating to the prerequisites to beginning business, embodies all that was contained in the Code of 1873, together with the amendment of the Seventeenth General Assembly and the act of the Twenty-sixth General Assembly regulating fees for incorporations. However, only farmers' mutual coöperative creamery associations are exempt from the payment of the fees according to the Code of 1897.

Section 1611, relating to the limit of indebtedness, appearing as section 1061 of the Code of 1873, was amended by the Twentieth and Twenty-first General Assemblies. Banks are not required to fix their highest amount of indebtedness at two-thirds of their capital stock; and street railways are included in the exemption given to railways.

[1] *Code of Iowa*, 1897, Sec. 1607, p. 507.

[2] *Ibid*, Sec. 1608, p. 507.

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Section 1612 is new, and reads as follows:

Place of Business — List of Officers. If the corporation transacts business in this state, the articles shall fix its principal place of business, which must be in this state, and in charge of an agent of the corporation, at which place it shall keep its stock and transfer books and hold its meetings. The corporation shall annually in January, file with the secretary of state a list of its officers and directors, and any change in the location of its place of business made by a vote of the stockholders.

Section 1613, relative to what the published notice should contain is identical with sections 1062 and 1063 of the Code of 1873 except that to the seventh clause of this section there is added, "Proof of such publication by affidavit of the publisher of the newspaper in which it is made, shall be filed with the Secretary of State, and shall be evidence of the fact."

Section 1614 permits the corporation to begin business as soon as the certificate is issued by the Secretary of State, whereas under section 1064 of the Code of 1873 the corporation might begin business as soon as its articles had been filed with the County Recorder. Section 1615, with verbal changes, embodies the same provisions of the new section 1065 of the Code of 1873 adopted by the Twenty-second General Assembly.[1] Section 1616 contains the same provisions as section 1068 of the Code of 1873, relating to the liability of individual property. Section 1617 contains the same provisions relating to dissolution and notice thereof as is found in sections 1066 and 1067 of the Code of 1873.

Section 1618 fixing the duration of corporations is the

[1] See above, p. 506.

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same as the provision in the Code of 1873; but the provisions relative to the renewal of charters has been changed by making the time for renewal "within three months before or after the time for the termination thereof," and by permitting a majority of votes to decide the question of renewal, whereas the Code of 1873 required a three-fourths vote.

Section 1619 is a verbatim repetition of section 1090 of the Code of 1873.[1] Section 1620 is, with slight verbal changes in the first sentence, the same as section 1071 of the Code of 1873. Section 1621 relating to the diversion of funds as fraudulent is in substance the same as section 1072 of the Code of 1873, with the addition that:

> If the directors or other officers or agents of any corporation shall declare and pay any dividend when such corporation is known by them to be insolvent, or any dividend the payment of which would render it insolvent, or which would diminish the amount of its capital stock, all directors, officers or agents knowingly consenting thereto shall be jointly and severally liable for all the debts of such corporation then existing, but dividends made in good faith before knowledge of the occurring of losses shall not come within the provisions of this section.

Section 1622 declares that the corporate privilege shall be forfeited for the *intentional* violation of the two preceding sections, whereas the Code of 1873 made no such exception. Section 1623 defines the intentional keeping of false books or accounts as a misdemeanor, whereas section 1075 of the Code of 1873 made the false keeping of books a misdemeanor if some one were injured thereby. Sections

[1] See above, p. 502.

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1624 and 1625 relative to the posting of the by-laws, names of officers and the general statement of stock and indebtedness are in content just the same as sections 1076 and 1077 of the Code of 1873.

Section 1626 relative to the transfer of shares is essentially the same as section 1078 of the Code of 1873 as amended by chapter 81 of the laws of the Twenty-sixth General Assembly. The Code of 1897, however, permits stock to be transferred as collateral security to *persons*, *firms*, or corporations, whereas such transfers could only be made to corporations by the amendment of the Twenty-sixth General Assembly.[1]

Section 1627, which is new, contains the following:—

> No certificate or share of stock shall be issued, delivered or transferred by any corporation, officer, or agent thereof, or by the owner of such certificate or shares, without having indorsed on the face thereof what amount or portion of the par value has been paid to the corporation issuing the same, and whether such payment has been in money or property. Any person violating the provisions of this section, or knowingly making a false statement on such certificate, shall be fined not less than one hundred dollars nor more than five hundred dollars, and shall stand committed to the county jail until such fine and costs are paid.

Sections 1628 on non-user, 1629 on expiration of charters, and 1630 on the creation of a sinking fund are in content the same as sections 1079, 1080, and 1081 of the Code of 1873. Sections 1082 and 1083 of the Code of 1873, relative to the liability of the private property of stockholders for corporate debts are combined in one sec-

[1] See above, p. 507, for text of amendment.

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tion, section 1631, in the Code of 1897,[1] with this addition that "in suits by creditors to recover unpaid installments upon shares of stock against any person who has in any manner obtained such stock of the corporation, the stockholder shall be liable for the difference between the amount paid by him to the corporation for said stock and the face value thereof."

Section 1632 of the Code of 1897 is a verbatim repetition of section 1084 of the Code of 1873, treating of how the individual liability of the stockholder is to be enforced. In this connection the Code compilers refer to sections 1083–4 of the Code of 1873. This, however, is a mistake, probably being confused with the preceding section which embodies two sections of the Code of 1873.

Sections 1633 and 1634, relative to suits by a stockholder against the corporation and to franchises sold on execution are verbatim repetitions of sections 1085 and 1086 of the Code of 1873. Sections 1635 and 1636, relating to the production of books in court, and estoppel are, with only a few changes in the wording, the same as sections 1087 and 1089 of the Code of 1873.

Sections 1637, 1638, and 1639 are taken from chapter 76 of the laws of the Twenty-first General Assembly of Iowa.[2] Some changes and omissions, however, are made. In the first section after the clause providing that the application of foreign corporations to do business should "contain a stipulation that said permit shall be subject to each and every of the provisions of this act" (chapter), there is added:—

[1] The editors of the Code of 1897 cite only section 1082 of the Code of 1873.

[2] See above, p. 504, for text of act.

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Before such permit is issued, the said corporation shall pay to the secretary of state the same fee required for the organization of corporations in this state, and if the capital of such corporation is increased, it shall pay the same fee as is in such event required of corporations organized under the law of this state. Any corporation transacting business in this state prior to the first day of September, 1886, shall be exempt from the payment of the fees required under the provisions of this section.

The original statute makes no mention of fees for foreign corporations. The remainder of the section remains as in the original act.

Section 1638 is the same as the second section of the original act. The third section of the original statute containing a provision that any foreign corporation should forfeit its permit to do business within the State on the removal of a suit by the corporation to a federal court, is omitted from the Code of 1897, the same having been declared unconstitutional on the ground that it made the stipulation not to remove cases to the federal courts a condition for obtaining the permit to do business.[1] The content of the fourth and fifth sections of the original act is embodied in section 1639 of the Code of 1897 which provides for the penalties for the violation of the act with an additional clause intended to place all corporations upon the same footing as follows:—"All foreign corporations, and the officers and agents thereof doing business in this State shall be subject to all the liabilities, restrictions and duties that are or may be imposed upon corporations of like character organized under the general laws of this

[1] Baron v. Burnside, 121 U. S., 186.

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State, and shall have no other or greater powers." Sections 1640 and 1641 of the Code of 1897 are new and are as follows:—

Courts of equity shall have full power, on good cause shown, to dissolve or close up the business of any corporation, and to appoint a receiver therefor, who shall be a resident of the state of Iowa. An action therefor may be instituted by the attorney-general in the name of the state, reserving, however, to the stockholders and creditors all rights now possessed by them.

Corporations organized in any foreign country, or corporations organized in this country the stock of which is owned in whole or in part by aliens or non-residents, shall have the same rights, powers and privileges with regard to the purchase and ownership of real estate in this state as are granted to nonresident aliens in section twenty-eight hundred and ninety, chapter one, title fourteen, of this code.

LEGISLATION SINCE 1897

The corporation law as found in the Code of 1897 was not destined to remain long unchanged. The Twenty-seventh General Assembly amended section 1610 by two different acts. The first, Chapter 40, strikes out the word "thereafter" in the thirteenth line, so as to make it read "should any corporation increase it capital stock, it shall pay a fee to the Secretary of State," etc. Section two of this same act raises the maximum incorporation fee from three hundred and fifty to two thousand dollars. The second act of the Twenty-seventh General Assembly, Chapter 41, exempts corporations organized for the manufacture of sugar from beets grown in the State of Iowa from the incorporation fees required by section 1610.

The Twenty-eighth General Assembly amended section

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1618 of the Code of 1897 relating to the duration and renewal of corporate charters by adding the following provisions:—

Within five days after the said action of the stockholders for the renewal of any corporation, a certificate, showing the proceedings resulting in such renewal, sworn to by the president and secretary of the corporation, or by such other officers as may be designated by the stockholders, together with the articles of incorporation, shall be filed for record in the office of the recorder of the county in which the principal place of business of said corporation is situated, and the same shall be recorded. Upon filing with the secretary of state the said certificate and articles of incorporation, within ten days after they are filed with the recorder, and upon the payment to the secretary of state a fee of twenty-five ($25) dollars, and an additional fee of one ($1) dollar per thousand for all authorized stock in excess of ten thousand ($10,000) dollars, but in no event to exceed two thousand ($2,000) dollars, the secretary of state shall record the said certificate and the said articles of incorporation in a book to be kept by him for that purpose, and shall issue a proper certificate for the renewal of the corporation. Within three months after the filing of the certificate and articles of incorporation with the secretary of state, the corporation so renewed shall publish a notice of renewal. Said notice shall be published for four weeks in succession in a newspaper as convenient as practicable to the principal place of business of the corporation, and shall contain the matters and things required to be published by section sixteen hundred and thirteen (1613) of the Code, relating to original incorporations.

SEC. 2. *Fees — since when due.* The fees herein provided shall be due from all corporations applying for a renewal since the first day of January, 1898.

Section 1627 was also amended so as not to apply to railways or quasi-public corporations. The Twenty-ninth General Assembly again amended sections 1610 and 1618 of

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the Code. This time striking out the maximum incorporation fees established by the Twenty-seventh and Twenty-eighth General Assemblies. Section 1613 was also amended by requiring that the notice of incorporation must be published "once each week" for four weeks, etc.

A legalizing act was also passed at this time to make those corporations legal which had not published the notice of incorporation as required by the original section 1613. This act with a preamble explanatory of its purpose is as follows:—

WHEREAS, A large number of corporations incorporated under the laws of the state of Iowa have heretofore caused notice of such incorporation to be published once each week for four consecutive weeks in some daily, semi-weekly or tri-weekly newspaper, instead of causing the same to be published in each issue of such paper for four consecutive weeks; and

WHEREAS, Doubts have arisen as to the legality of the incorporation of the said corporation so publishing notice of incorporation as above mentioned, therefore,

Be it Enacted by the General Assembly of the State of Iowa, etc., That each corporation heretofore incorporated under the laws of the state of Iowa which have caused notice of their incorporation to be published once each week for four consecutive weeks in some daily, semi-weekly or tri-weekly newspaper, instead of causing the same to be published in each issue of said newspaper for four consecutive weeks are hereby legalized and are declared legal incorporations the same as though the law had been complied with in all respects in regard to the publication of notice.

CONCLUSION

This article represents an attempt to treat, in the order of historical development, the corporation law of Iowa

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simply as reflected in the various codes and statutes of the State. The judicial interpretation of that law would, on the other hand, make an interesting subject in itself. By way of recapitulation and conclusion the following points deserve mention:

First, the first legislation on corporations by the State was the act of 1847. That act has formed the basis of all subsequent legislation relative to corporations.

Second, the Code of 1851 added nine new sections to the act of 1847; whereas but one new section was added during the period from 1851 to 1873.

Third, the section on organization (which is section 1610 of the Code of 1897) is the one which has been most frequently the subject of amendment.

Fourth, Iowa is the only State in the Union which permits a single individual to incorporate himself. This provision was first inserted in the Code of 1851, probably to encourage the establishment of industries in the new State. It reduces the idea of a corporation or an association to an absurdity; and the courts of several of the States have declared that a statute permitting "any number of persons" to incorporate does not authorize the incorporation of a single individual.[1]

Fifth, the number of legalizing acts passed for the benefit of corporations which had not complied with provisions of the law relative to publicity would seem to suggest that

[1] Mr. Clark in his work on *Corporations* says that no provisions are to be construed as authorizing a single individual to form a corporation unless the intention on the part of the legislature is clear, it being against public policy and intent of law to permit a single individual to conduct his business in the name of and as a corporation.—*Clark on Corporations*, p. 67.

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corporations in the State of Iowa have not taken those provisions very seriously.[1]

Sixth, the Foreign Corporation Act was passed two years before the first popular agitation against Trusts was begun (1886), and has not been enlarged upon since. The popular agitation against the large corporations has not ceased and statutes are multiplying in many States in attempts to bring those organized in other States (foreign corporations) under a proper control.

In other respects the law of Iowa regulating corporations has few features that are not found in the laws of the other States of the Union; nor can corporations claim to have been harrassed by hostile legislation in this State.

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[1] Sections 1613, 1624, and 1625 of the Code of 1897. See also legalizing acts passed by the 14th G. A., chapter 88, by the 16th G. A., chapter 32, and by the 29th G. A., chapter 226.

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ASSEMBLY DISTRICTING AND APPORTIONMENT IN IOWA

To outline briefly the history of assembly districting and apportionment in Iowa and to indicate with maps the area or territory embraced by the several districts which were established from time to time for the election of members of the legislature is the purpose of this article. And for convenience in presentation the subject-matter has been arranged under three general heads:—I The Territorial Period. II The Period of the First Constitution. III The Period of the Present Constitution.

The maps of the Territorial and early State period, compiled from data taken at first hand from the statute laws, illustrate in a way the history of the establishment and organization of counties. Wherever unorganized counties or portions of unorganized territory are attached to organized counties the assembly district lines are made to indicate the inclusion of such unorganized country as a part of the organized county to which it was at the time by law attached.[1] In several instances the electoral districts are not numbered. But on the maps numbers in brackets are

[1] In 1840 an act was passed which provided that "all the country that is at present, or may hereafter be attached to any of the organized counties in the Territory, be, and the same is hereby attached for revenue, ELECTION and judicial purposes, and the inhabitants thereof shall be entitled to and enjoy all the rights and privileges of the county or counties to which they are attached that they would be entitled to were they citizens proper of some organized county."—*Laws of the Territory of Iowa*, 1840, extra session, p. 15.

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given to indicate the order in which the districts are set out in the state paper by which they were established.

The originals from which the maps used in this article have been made were all drawn by Bertha H. Shambaugh and will be preserved in the library of the State Historical Society of Iowa.

I

THE TERRITORIAL PERIOD

By an act of Congress approved June 28, 1834, the territory which was afterwards to become known as the Iowa country was "attached to, and made a part of, the Territory of Michigan." In 1836, by an act approved April 20, it was included within the original Territory of Wisconsin. Two years later by the act of June 12, 1838, the Territory of Iowa was established and organized as a separate and independent Territory. And on December 28, 1846, the State of Iowa was admitted into the Union.[1]

THE PROCLAMATION OF GOVERNOR MASON

The first assembly districting and apportionment in the history of Iowa bears the date of August 25, 1835, and was made by Stevens T. Mason who was then Secretary and Acting-Governor of the Territory of Michigan.[2] Steps had been taken by the citizens in the eastern part of the Territory of Michigan for the admission of the State of Michigan into the Union. And to that end a constitution was adopted, a State government formed, and Territorial

[1] For maps illustrating the boundary history of Iowa, see *The Iowa Journal of History and Politics* for July, 1904.

[2] Strong's *History of the Wisconsin Territory*, p. 190.

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organization abandoned in peninsular Michigan. In the meantime the inhabitants of western Michigan acted on the theory that that part of the original Territory of Michigan not included within the limits of the proposed State of Michigan remained vested with all of the powers of the Territorial government of Michigan. This "contingent remainder," so-called, consisted of the counties of Brown, Milwaukee, Iowa, Crawford, DUBUQUE, and DEMOINE.[1]

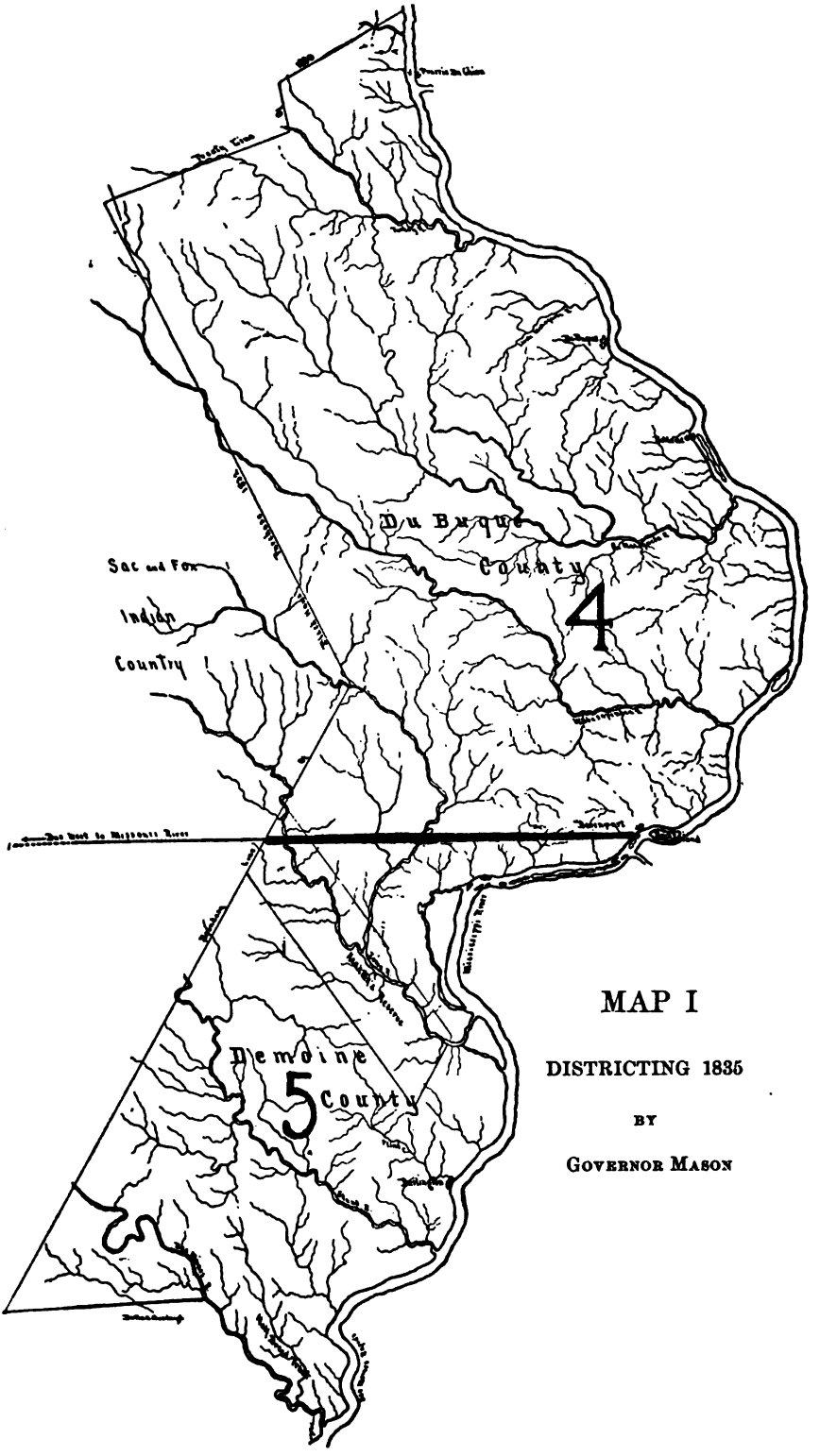
It was for the election of members of the Legislative Council of the Territory of Michigan that the "contingent remainder" was divided by Secretary and Acting-Governor Mason into five electoral districts of which the counties of Dubuque and Demoine were the *fourth* and *fifth* respectively. (See Map I.) These two counties, which at that time included all of the Iowa country, had been established by the Legislative Council of the Territory of Michigan in September, 1834.[2] The act provided that all the country west of the Mississippi and north of a line running due west from the lower end of Rock Island to the Missouri river, and to which the Indian title had been extinguished, should constitute the County of Dubuque; while all of the country south of such a line should constitute the County of Demoine.

By the apportionment of 1835 each of the counties of Dubuque and Demoine was entitled to elect two of the thirteen members of the Legislative Council, which, according to the same proclamation, was to meet at Green Bay on

[1] When referring to the original county the spelling *Demoine* is preferred to *Des Moines*.

[2] *Laws of the Territory of Michigan*, Vol. III, p. 1826.

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MAP I

DISTRICTING 1835

BY

GOVERNOR MASON

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Friday, January 1, 1836. The election was held on the first Monday in October, 1835. In Dubuque County, Allen Hill and John Parker were elected; while Joseph B. Teas and Jeremiah Smith were the successful candidates in Demoine County.[1]

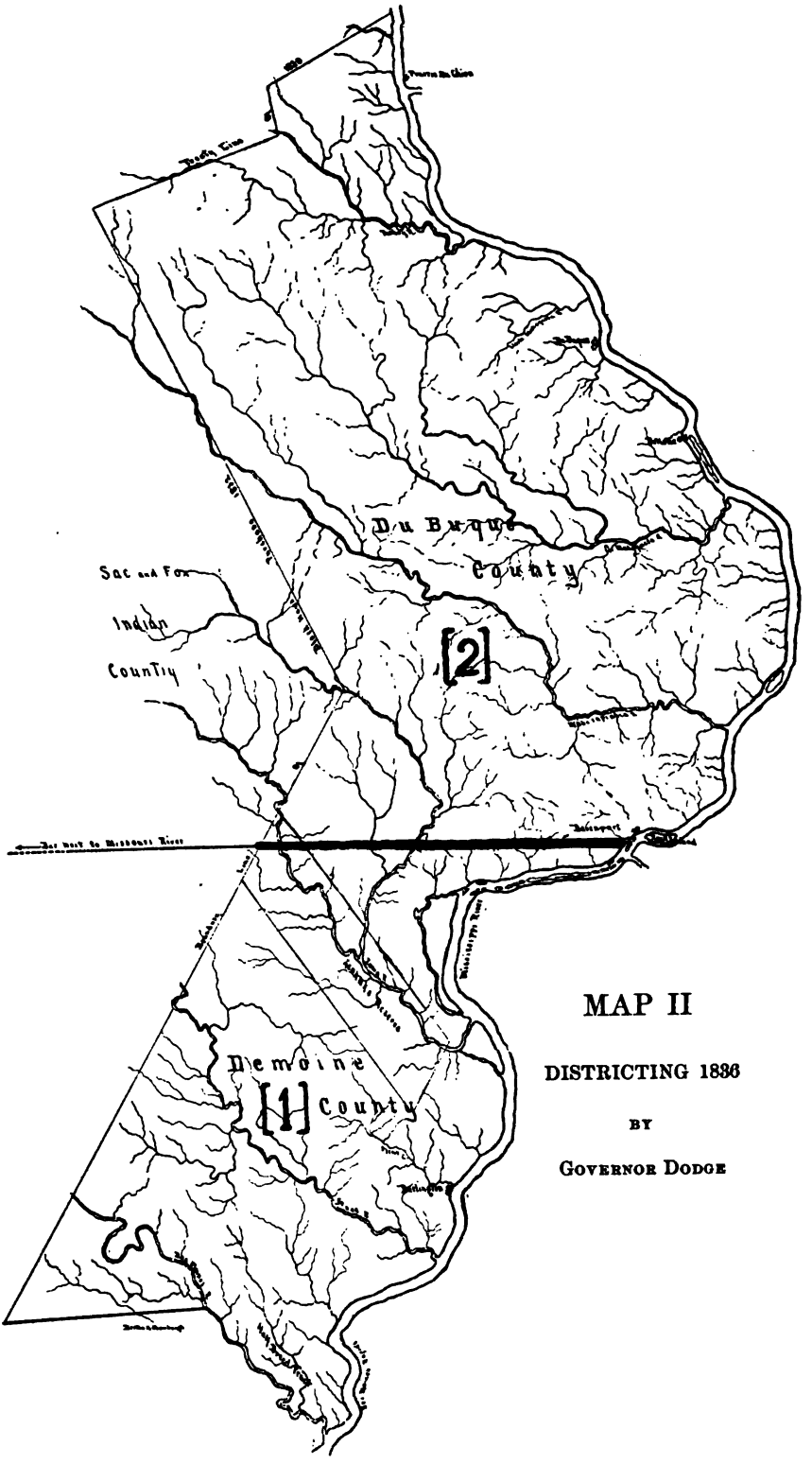
THE PROCLAMATION OF GOVERNOR DODGE

Section 4 of the act of Congress establishing the original Territory of Wisconsin provides that "an apportionment shall be made [by the Legislative Assembly], as nearly equal as practicable, among the several counties, for the election of the Council and Representatives, giving to each section of the Territory representation in the ratio of its population, Indians excepted, as nearly as may be. And the said members of the Council and House of Representatives shall reside in and be inhabitants of the district for which they may be elected." But previous to the first election the Governor of the Territory was to cause a census or enumeration of the inhabitants of the several counties to be taken by the sheriffs thereof, fix the time of the first election, declare the number of members of the Council and House of Representatives to which each of the counties was entitled, and appoint a day and place for the first meeting of the Legislative Assembly.

The first census of the original Territory of Wisconsin, which was taken in July, 1836, under the direction of Governor Henry Dodge showed a total population of 10,531 west of the Mississippi. Of this number Dubuque County

[1] Strong's *History of the Wisconsin Territory*, pp. 191–198.

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MAP II

DISTRICTING 1836

BY

GOVERNOR DODGE

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contained 4,274 and Demoine County 6,257.[1] After securing the census returns Governor Dodge issued a proclamation on September 9, 1836, in which he apportioned the thirteen members of the Council and twenty-six members of the House of Representatives among the six counties of the Territory, ordered that the first election be held on the second Monday of October, and directed the members elected from the several counties to meet at Belmont, in the County of Iowa, on October 25, 1836.[2]

In apportioning the members of the first Legislative Assembly of the original Territory of Wisconsin Governor Dodge constituted each county an electoral district for both branches of the assembly. And so there were established in the Iowa country two assembly districts corresponding to the two original counties of Dubuque and Demoine. The districts are not numbered in the Governor's proclamation; but taken in the order of their designation Demoine County constituted the first and Dubuque County the second district. (See Map II.)

To the County of Demoine seven members of the House of Representatives and three members of the Council were assigned; while five members of the House of Representatives and three members of the Council were apportioned to Dubuque County.

THE ACT OF 1838

At the special session of the Legislative Assembly of the original Territory of Wisconsin which convened at Burling-

[1] From Shambaugh's *First Census of the Original Counties of Dubuque and Demoine.*

[2] Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 50.

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ton in June, 1838, an act was passed entitled "An Act to district the territory of Wisconsin into electoral districts and to apportion the representation of each." It was approved June 23, 1838.[1]

By the provisions of this act the whole Territory was divided into seventeen districts, of which the 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, and 17th were west of the Mississippi as indicated on the accompanying map. (See Map III.)

Owing to the fact that the mandates of the members of the Council would not expire for two years, only members of the House of Representatives were apportioned by the act of 1838. The 9th district, consisting of the counties of Clayton, Fayette, Dubuque, Delaware, Buchanan, Jones, Linn, and Benton, and the territory thereunto attached, was assigned two members; the 10th district, consisting of the counties of Jackson and Clinton, one member; the 11th district, consisting of the counties of Scott and Cedar, one member; the 12th district, consisting of the counties of Muscatine, Johnson, and Keokuk, one member; the 13th district, consisting of the counties of Louisa and Slaughter, one member; the 14th district, consisting of the County of Des Moines, two members; the 15th district, consisting of the County of Henry, two members; the 16th district, consisting of the County of Van Buren, two members; and the 17th district, consisting of the County of Lee, two members.

Although the Legislative Assembly had met in special session chiefly for the purpose of making an apportionment of representatives no members were ever elected under this

[1] *Laws of the Territory of Wisconsin*, 1838, special session, p. 549.

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act owing to the division of the original Territory of Wisconsin and the establishment of the Territory of Iowa in July, 1838.

The total population of the Territory in 1838 is given as 22,859. By assembly districts as established by this act it was as follows:

9th district, 3,101	12th district, 1,484	15th district, 3,058
10th district, 1,326	13th district, 1,463	16th district, 3,174
11th district, 1,809	14th district, 4,605	17th district, 2,839

THE PROCLAMATION OF GOVERNOR LUCAS

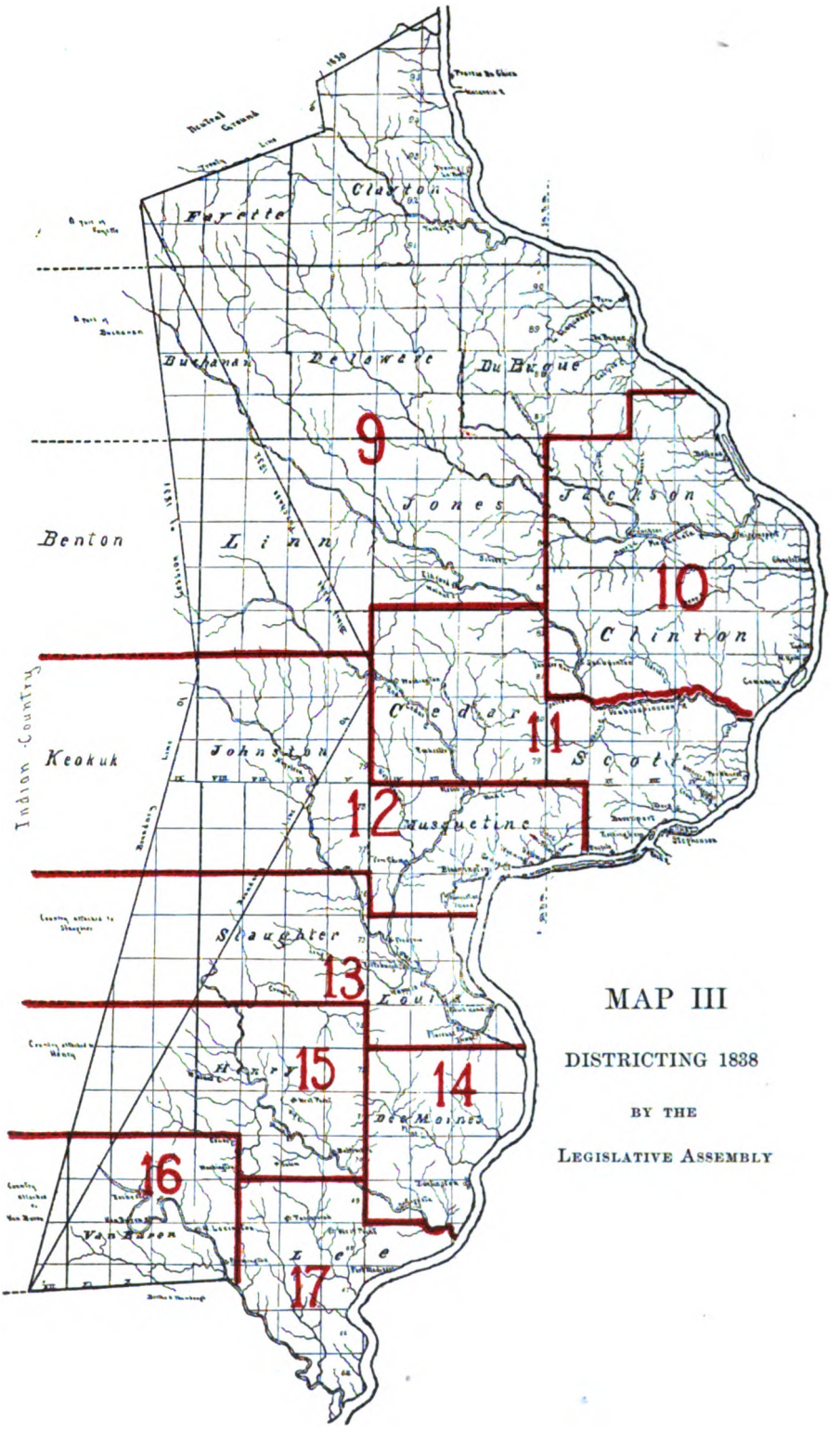
The division of the original Territory of Wisconsin and the organization of the new Territory of Iowa rendered the act of June 23, 1838, inoperative and necessitated a reapportionment by the Governor who was granted the same authority under the Organic Act of 1838 as had been conferred upon the Governor of the Territory of Wisconsin in 1836.[1]

The first move in districting the Territory of Iowa was made by Wm. Conway, Secretary of the Territory. Mr. Conway, having arrived in the Territory some days in advance of the Governor, Robert Lucas, proceeded to perform the duties of Acting-Governor. A proclamation drafted by him for the purpose of effecting a districting of the Territory and an apportionment of the members of the Legislative Assembly has been discovered among the archives in the office of the Secretary of State at Des Moines.[2] Al-

[1] See above p. 524, and compare with Sec. 4 of the Organic Act of the Territory of Iowa.

[2] Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 209.

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MAP III

DISTRICTING 1838

BY THE

LEGISLATIVE ASSEMBLY

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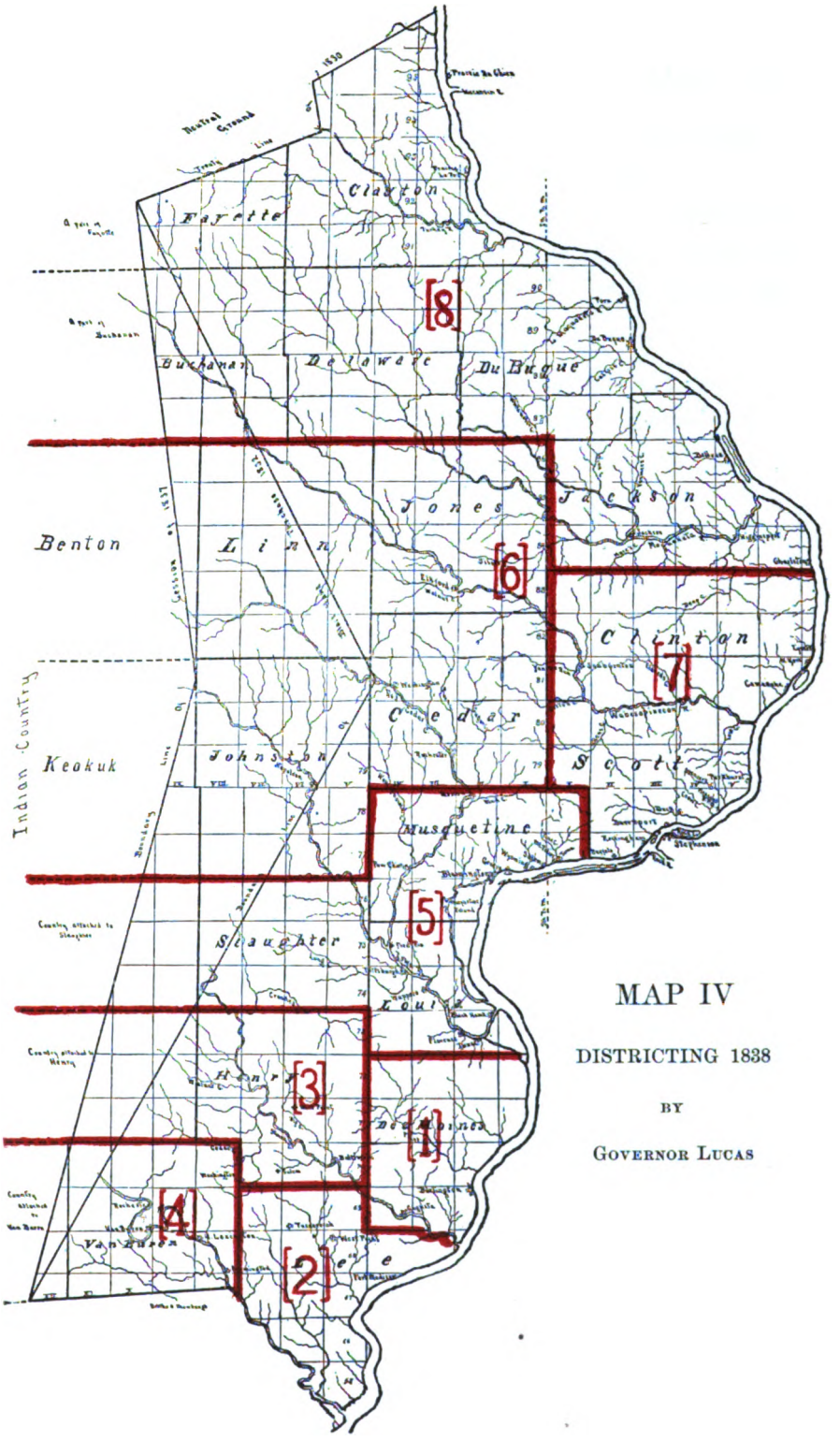
though Conway's proclamation was never issued, it is quite probable that it served as a basis for the proclamation of Governor Lucas[1] apportioning the members of the First Legislative Assembly of the Territory of Iowa which was issued at Burlington under the date of August 15, 1838. (See Map IV.)

It appears, then, that Governor Lucas divided the Territory of Iowa into eight electoral districts among which he apportioned the thirteen members of the Council and twenty-six members of the House of Representatives as follows: 1st district, three members of the Council and five of the House of Representatives; 2d district, one member of the Council and four of the House of Representatives; 3d district, two members of the Council and three of the House of Representatives; 4th district, two members of the Council and three of the House of Representatives; 5th district, one member of the Council and four of the House of Representatives; 6th district, one member of the Council and one member of the House of Representatives; 7th district, one member of the Council and two of the House of Representatives; and the 8th district, two members of the Council and four of the House of Representatives.[2]

[1] This probability is strengthened by the following extract from one of Governor Lucas' papers:—"On my arrival in the Territory, I found that Secretary Conway had *assumed* the executive prerogative and was about issuing a proclamation apportioning the Representatives and ordering an election. *He* handed me the draft of his proclamation, and left for Davenport in less than an hour after my arrival at Burlington."—*Documents Relating to Robert Lucas.*—In *The Iowa Historical Record*, Vol. XVI, No. 2, p. 71.

[2] For Lucas' proclamation see *Fort Madison Patriot—Extra*, September 2, 1838. —in the Public Library of Burlington, Iowa. It was while engaged in the preparation of this article that I discovered the whereabouts of a copy of this important document.

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MAP IV

DISTRICTING 1838

BY

GOVERNOR LUCAS

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The population of the several districts as established by Governor Lucas was as follows:

1st district, 4,605	4th district, 3,174	7th district, 1,697
2d district, 2,839	5th district, 2,710	8th district, 5,917
3d district, 3,058	6th district, 1,240	

THE ACT OF 1839

Since, according to the Organic Act, the members of the lower branch of the legislature were chosen annually[1] it was necessary for the Legislative Assembly at its first session in 1838–39 to redistrict the Territory and apportion the members of the House of Representatives for the general election of 1839. And so by an act entitled "An Act to district the Territory of Iowa into electoral districts, and to apportion the Representatives of each," approved January 21, 1839, ten districts were established. (See Map V.)

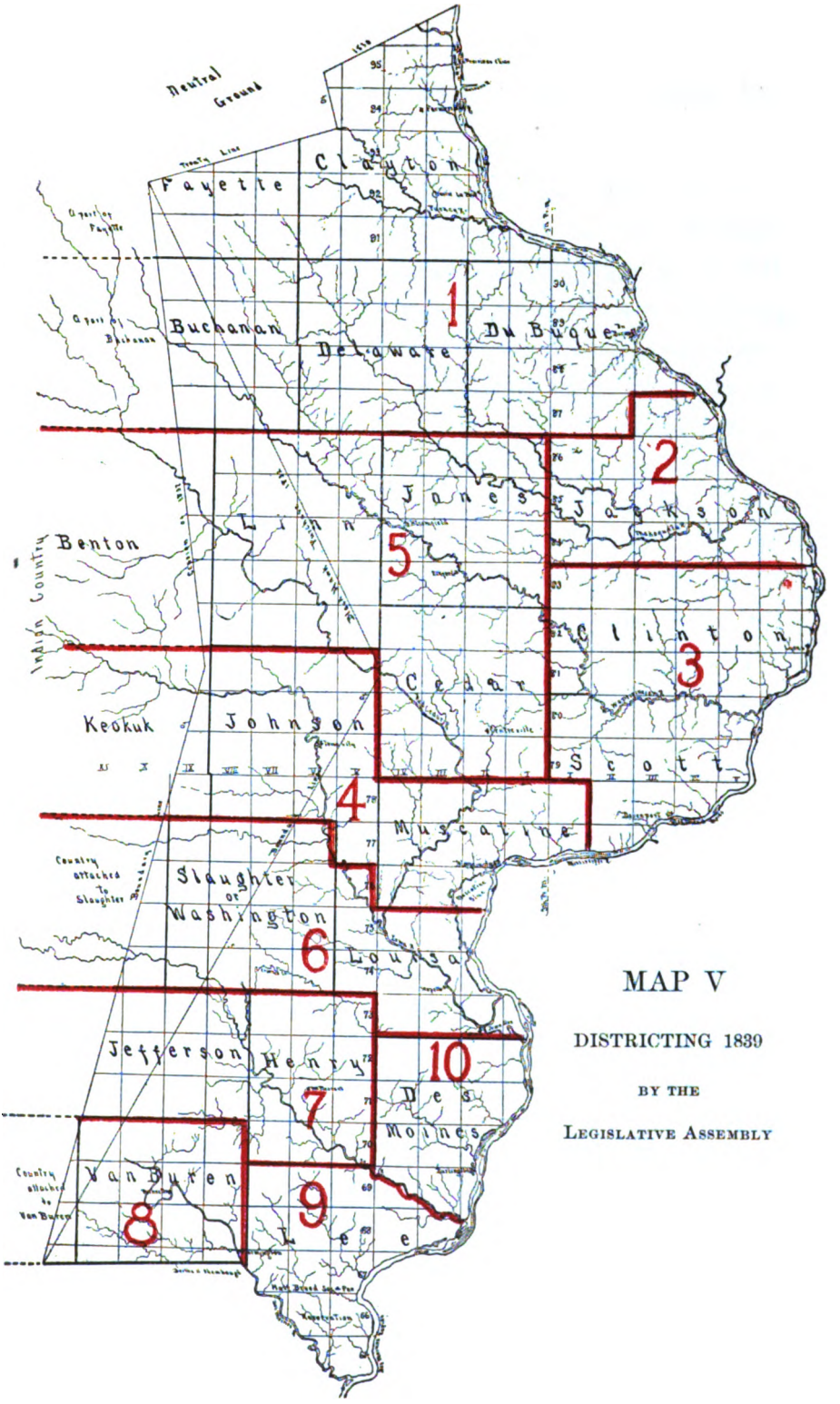
Among the ten districts established by the act of 1839 the twenty-six members of the House of Representatives were apportioned as follows: the 1st district, three members; the 2d district, one member; the 3d district, two members; the 4th district, two members; the 5th district, one member; the 6th district, two members; the 7th district, three members; the 8th district, three members; the 9th district, four members; and the 10th district, five members.

According to the last (1838) enumeration, the population of the districts established by the act of 1839 was:

1st district, 2,655	5th district, 1,003	9th district, 2,839
2d district, 881	6th district, 1,463	10th district, 4,605
3d district, 1,697	7th district, 3,058	
4th district, 1,484	8th district, 3,174	

[1] Organic Act of the Territory of Iowa, Sec. 4.

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MAP V

DISTRICTING 1839

BY THE

LEGISLATIVE ASSEMBLY

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THE ACT OF 1840

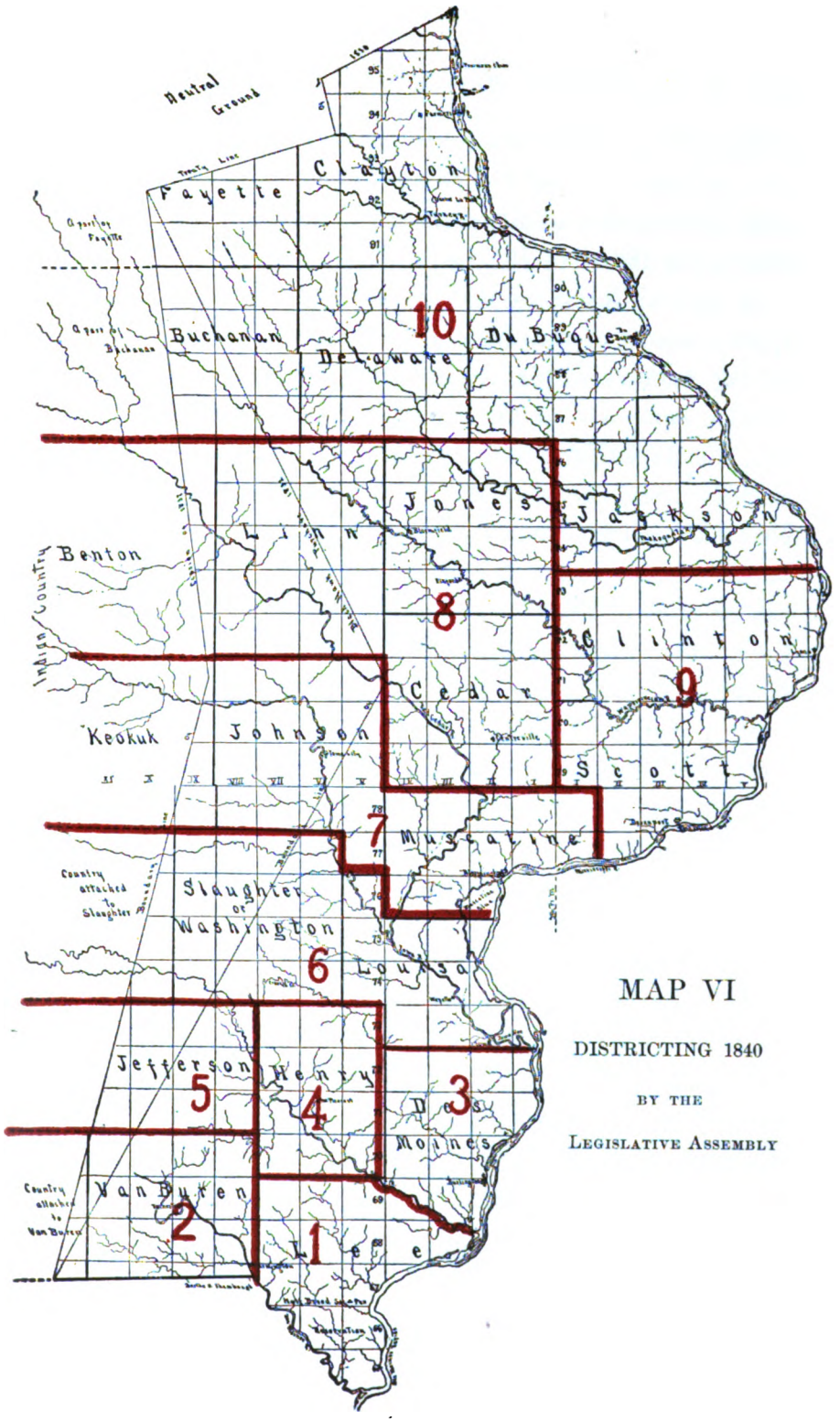
At the regular session of the Legislative Assembly of the Territory in 1839–40 no act of apportionment was passed. But by an act which became a law on January 15, 1840, provision was made for an extra session of the Legislative Assembly in July, 1840, "for the purpose of apportioning the members of the Council and House of Representatives equally among the several counties of this Territory."[1]

The act of apportionment passed at the extra session of 1840, entitled "An Act to district the Territory of Iowa into Electoral Districts, and to apportion the Representatives of each," was approved July 30, 1840. It repealed the act of January 21, 1839, and divided the Territory into ten electoral districts. (See Map VI.)

The apportionment under the act of 1840 for both the Council and House of Representatives was as follows: the 1st district, two members of the Council and three members of the House of Representatives; the 2d district, two members of the Council and three members of the House of Representatives; the 3d district, one member of the Council and five members of the House of Representatives; the 4th district, one member of the Council and three members of the House of Representatives; the 5th district, one member of the Council and one member of the House of Representatives; the 6th district, one member of the Council and two members of the House of Representatives; the 7th district, two members of the Council and two members of the House of Representatives; the 8th district, one member of the Council and two members of the House of Repre-

[1] *Laws of the Territory of Iowa*, 1840, p. 75.

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MAP VI

DISTRICTING 1840

BY THE

LEGISLATIVE ASSEMBLY

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sentatives; the 9th district, one member of the Council and two members of the House of Representatives; and the 10th district, two members of the Council and three members of the House of Representatives.

In several instances the act of 1840 makes a further apportionment of members of the House of Representatives among counties within the assembly district. To the 6th district, composed of the counties of Louisa and Washington, the act assigned two members of the House of Representatives and provided that "the County of Louisa shall elect one, and the County of Washington one of said members." Again in the case of the 10th district, composed of the counties of Dubuque, Jackson, Delaware, Clayton, and the country thereto attached, and to which three members of the House of Representatives had been apportioned, it was specifically provided that "the County of Jackson shall elect one, and the counties of Dubuque, Delaware, Clayton, and the country thereunto attached, shall elect two of said members to the House of Representatives." And nearly two years later (February 10, 1842) the act of 1840 was amended so as to set apart the counties of Clinton and Scott in the election of the two members of the House of Representatives which had been apportioned to the 9th district.[1]

From 1838 to 1840 the population of the whole Territory had increased from 22,859 to 43,112. It was, moreover, upon the census of 1840 which had been taken just before the extra session of the Legislative Assembly that

[1] *Revised Statutes of the Territory of Iowa*, 1842-43, p. 233.

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the new apportionment of 1840 was based. The population of the new districts was as follows:

1st district, 6,093	5th district, 2,773	9th district, 2,961
2d district, 6,146	6th district, 3,521	10th district, 5,739
3d district, 5,577	7th district, 3,433	
4th district, 3,772	8th district, 3,097	

THE AMENDMENT OF 1844

The amendment of 1844, which was approved June 19, was passed at an extra session of the Legislative Assembly called "for the purpose of making an apportionment of members of the Council and House of Representatives among the several counties of the Territory, giving to each section of the Territory representation in the ratio of its white population as nearly as may be, according to the census taken under the provisions of this act."[1] It is entitled "An Act to amend An Act to district the Territory of Iowa into electoral districts, and to apportion the Representatives of each."[2]

This amendment does not disturb the general scheme of districting and apportionment established by the act of 1840. The settlement of the country opened up by the Sac and Fox Cession of 1842 and the establishment of new counties therein necessitated simply the enlargement of several of the old electoral districts.

First, the counties of Keokuk, Mahaska, and the country thereto attached were annexed to the County of Washington and made a part of the 6th district "for the purpose of

[1] *Laws of the Territory of Iowa*, 1844, p. 48.

[2] *Laws of the Territory of Iowa*, extra session, 1844, p. 2.

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participating with Washington in the election of a member of the House of Representatives, and with Washington and Louisa in the election of a member of the Council." Secondly, the County of Wapello and the country thereto attached was annexed to the County of Jefferson and made a part of the 5th district. Thirdly, the County of Davis and the country thereto attached was annexed to the County of Van Buren and made a part of the 2d district. (See Map VII.)

The enumeration of inhabitants upon which the Legislative Assembly amended the act of 1840 at the extra session of 1844 fixed the population of the Territory at 75,152. This gave the assembly districts the following totals:

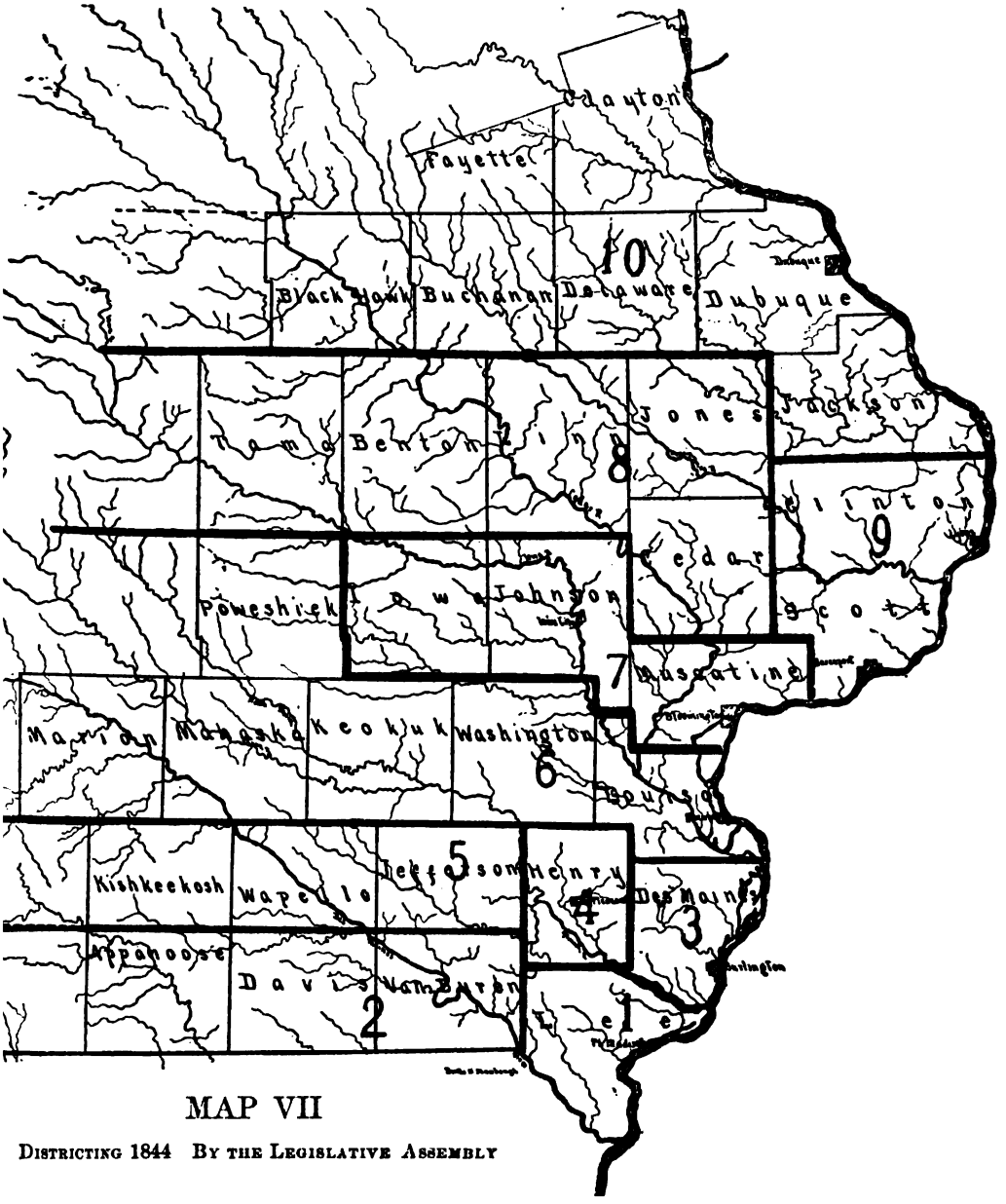
1st district, 9,830	5th district, 8,894	9th district, 3,951
2d district, 11,730	6th district, 6,358	10th district, 7,549
3d district, 9,109	7th district, 5,831	
4th district, 6,107	8th district, 5,972	

THE AMENDMENT OF 1846

The amendment of 1846 is the last of the acts of the Legislative Assembly of the Territory of Iowa relative to electoral districts and apportionment. Like the act of 1844 it takes the form and title of an amendment to the act of 1840.[1] It in no way disturbed the plan of electoral districts which had been established by the act of 1840 and the amendment of 1844. However, the organization of Benton County wrought some alterations in the 8th and 10th districts by transfering Blackhawk County and the country

[1] *Laws of the Territory of Iowa*, 1846, p. 30.

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MAP VII

DISTRICTING 1844 BY THE LEGISLATIVE ASSEMBLY

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directly west from the latter to the former district.[1] (See Map VIII.)

In the apportionment of members of the House of Representatives several important changes were made by this amendment. The number of members apportioned to the 3d district was reduced from five to four; while the 4th district suffered a reduction from three to two. On the other hand one member each was added to the fifth and sixth districts.

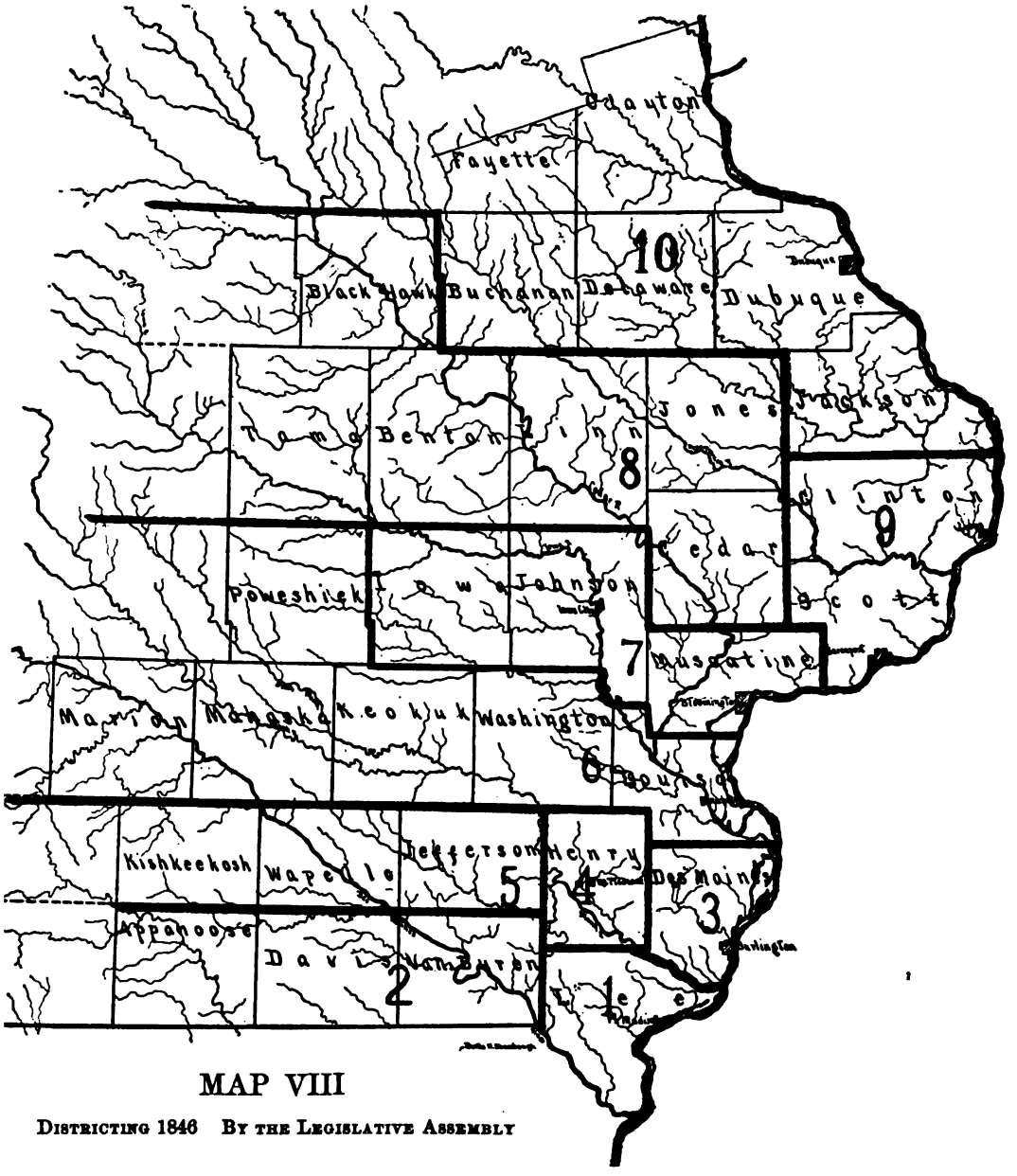
There were also some further apportionments made within the districts. In the 5th district, composed of the counties of Jefferson, Wapello, and Kishkeekosh (Monroe), one member of the House of Representatives was to be elected by Jefferson County, and one by the counties of Wapello and Kishkeekosh (Monroe). It was provided also that in the 6th district, composed of the counties of Louisa, Washington, Keokuk, Mahaska, and Marion, the County of Louisa should elect one Representative, the counties of Washington and Keokuk one, and the counties of Mahaska and Marion one. Within the 2d district the counties of Davis and Appanoose were set apart from the County of Van Buren in the election of members of the House of Representatives and were entitled to elect one member jointly, while the County of Van Buren was entitled to elect two members.[2]

The adoption of the Constitution of 1846 in August rendered this scheme of apportionment inoperative before any election had been held under its provisions; for the mem-

[1] See "An act for the organization of the county of Benton," Sec. 18.—*Laws of the Territory of Iowa*, 1846, p. 88.

[2] *Laws of the Territory of Iowa*, 1846, p. 30.

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MAP VIII

DISTRICTING 1846 BY THE LEGISLATIVE ASSEMBLY

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bers of the First General Assembly of the State were chosen in October, 1846, in accordance with an apportionment provided for in the schedule of the new Constitution.

II

THE PERIOD OF THE FIRST CONSTITUTION

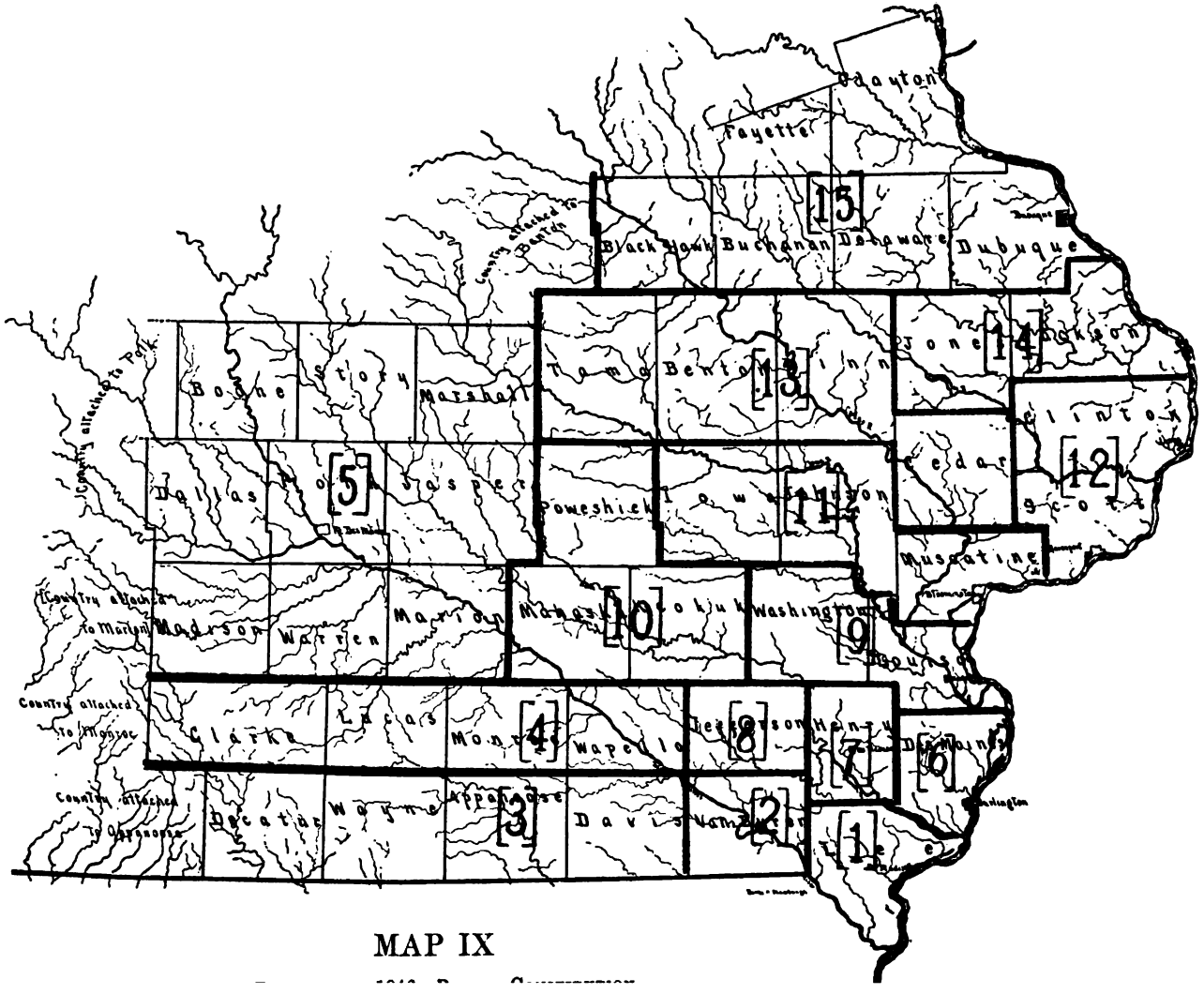
The act of Congress admitting the State of Iowa into the Union bears the date of December 28, 1846. But in compliance with the provisions of the Constitution, which had been adopted August 3, 1846, and the proclamation of Governor Clarke,[1] members of the First General Assembly were elected on October 26, 1846. They met and organized at Iowa City on the thirtieth day of November in the same year.

CONSTITUTIONAL RESTRICTIONS UPON THE GENERAL ASSEMBLY

The first Constitution of the State of Iowa provided that "within one year after the ratification of this Constitution, and within every subsequent term of two years, for the term of eight years, an enumeration of all the white inhabitants of this State shall be made, in such manner as shall be directed by law. The number of Senators and Representatives shall, at the first regular session of the General Assembly after such enumeration, be fixed by law, and apportioned among the several counties according to the number of white inhabitants in each, and [the General Assembly] shall also, at every subsequent regular session, apportion the House of Representatives, and every other regular session the Senate

[1] Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. I, p. 358.

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Fayette
Clayton
Black Hawk
Buchanan
Delaware
Dubuque
Jones
Jackson
Clinton
Benton
Linn
Cedar
Scott
Muscatine
Louisa
Boone
Story
Marshall
Tama
Iowa
Johnson
Dallas
Jasper
Poweshiek
Madison
Warren
Marion
Mahaska
Keokuk
Washington
Clarke
Lucas
Monroe
Wapello
Jefferson
Henry
Des Moines
Decatur
Wayne
Appanoose
Davis
Van Buren
Lee
Country attached to Boone
Country attached to Dallas
Country attached to Marion
Country attached to Monroe
Country attached to Appanoose
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2
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15

MAP IX

for eight years; and the House of Representatives shall never be less than twenty-six, nor greater than thirty-nine, until the number of white inhabitants shall be one hundred and seventy-five thousand; and after that event, at such ratio that the whole number of representatives shall never be less than thirty-nine nor exceeding seventy-two."[1]

This same Constitution provided also that no county should be divided in forming a senatorial or representative district, and that when a senatorial or representative district is composed of two or more counties it shall not be entirely separated by any county belonging to another district. Thus in the formation of assembly districts the principle of contiguous territory was to be preserved and the territorial integrity of each county maintained.

APPORTIONMENT BY THE CONSTITUTION OF 1846

The districting of the State and the apportionment of Senators and Representatives for the First General Assembly are found in section seven of the schedule of the Constitution.[2] Fifteen districts were established by its provisions; but they are not given numerical designations. On the accompanying map, however, numbers in brackets are given in accordance with the order in which the several districts are set out in the Constitution. (See Map IX).

Among the districts thus established nineteen Senators and thirty-nine Representatives were apportioned as follows:—The 1st district, two Senators and five Representatives; the 2d district, two Senators and four Representa-

[1] Constitution of 1846, Article IV, section 31.

[2] Article XIII.

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tives; the 3d district, one Senator and one Representative; the 4th district, one Senator and two Representatives; the 5th district, one Senator and two Representatives; the 6th district, two Senators and four Representatives; the 7th district, one Senator and three Representatives; the 8th district, one Senator and three Representatives; the 9th district, one Senator and two Representatives; the 10th district, one Senator and two Representatives; the 11th district, one Senator and three Representatives; the 12th district, one Senator and two Representatives; the 13th district, one Senator and two Representatives; the 14th district, one Senator and two Representatives; and the 15th district, two Senators and two Representatives.[1]

Where two or more Representatives were assigned to a district composed of more than one county they were in some cases to be elected by the counties jointly. Sometimes, however, the Representatives of a district were apportioned among the several counties. In the 4th district one Representative was assigned to each of the counties of Wapello and Monroe. Likewise in the 9th district each county was assigned one Representative. In the 10th district the two Representatives were allotted one to each of the counties of Keokuk and Mahaska.[2] In the 11th district the apportionment was altogether exceptional; for of the three Representatives one was assigned to the three counties

[1] The map shows several counties which are not mentioned in the apportionment. This is explained by the fact that unorganized counties are frequently not mentioned in acts of apportionment. The inhabitants of unorganized counties and attached portions of country voted with the counties to which they were attached.

[2] Poweshiek at this time seems to have been attached to Mahaska.

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jointly, one to Muscatine County, and one to Johnson County and Iowa County jointly. The apportionment in the 13th district gave to Cedar County one Representative and to the counties of Linn and Benton one jointly.

The population by districts according to the census of 1846 was:

1st district, 12,860	6th district, 9,391	11th district, 6,350
2d district, 9,870	7th district, 6,875	12th district, 5,025
3d district, 5,000	8th district, 6,900	13th district, 6,570
4th district, 5,332	9th district, 7,227	14th district, 6,525
5th district, 2,661	10th district, 2,942	15th district, 8,960

THE ACT OF 1849

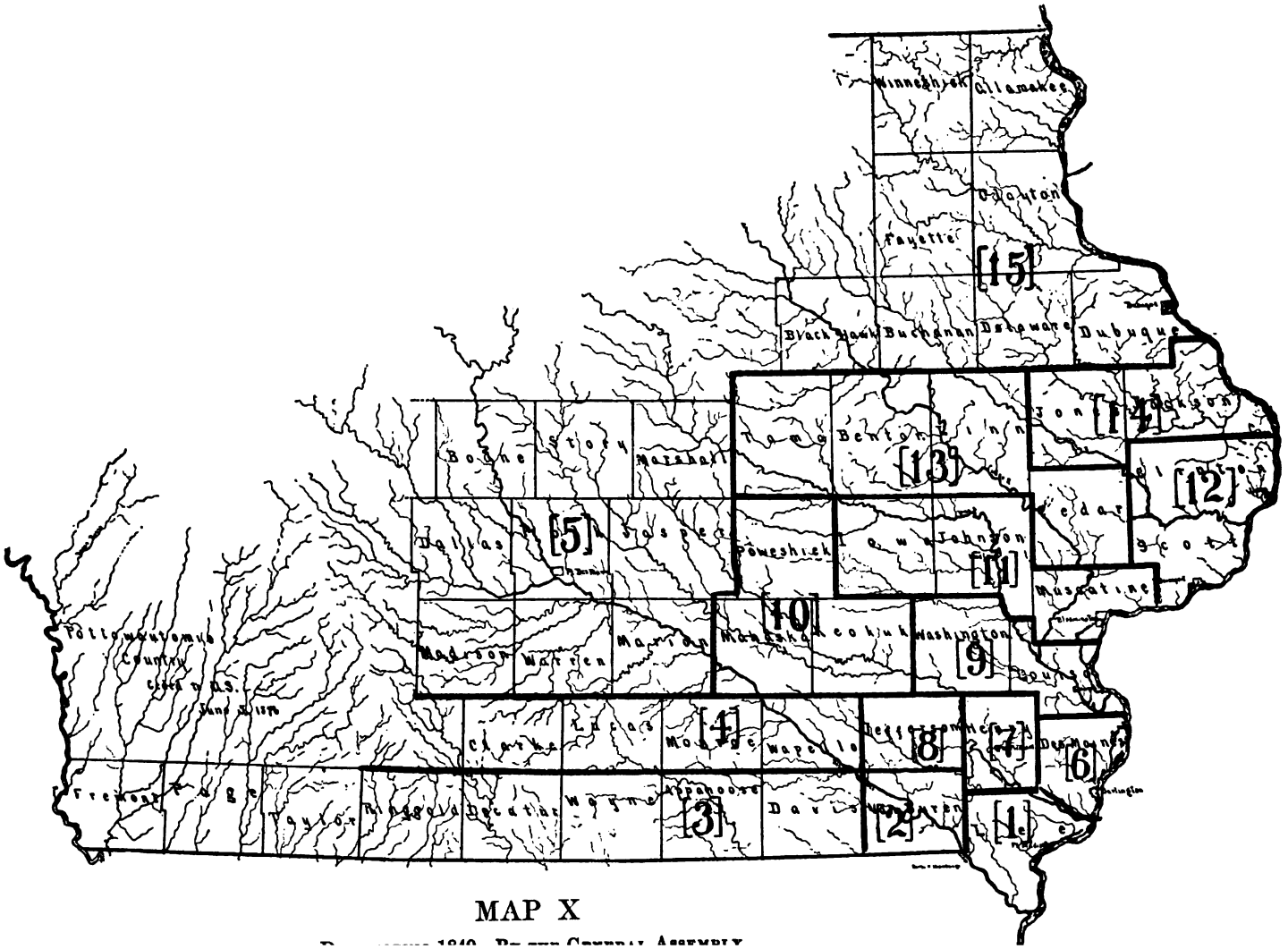
In accordance with the provisions of the Constitution the First General Assembly directed the assessors of the organized counties to take an enumeration of all the white inhabitants of the State "previous to the first day of August, 1847, and before the same day of every second year thereafter, for the period of eight years."[1] The chief purpose of these enumerations was to secure data for the proper apportionment of the members of the General Assembly.

The first regular session of the General Assembly after the first enumeration was that of 1848–49. And so the first act of apportionment under the first Constitution, which was "An act to re-apportion the State and define the boundaries of Senatorial and Representative districts therein," bears the date of January 15, 1849.[2] This was about two years and a half after the adoption of the Constitution. In

[1] *Laws of Iowa*, 1846–47, p. 23.

[2] *Laws of Iowa*, 1848–49, p. 153.

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MAP X

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the meantime a number of new counties had been established, while others had been organized. But the General Assembly did not on that account change the scheme of districting which had been laid out by the Convention of 1846 in article XIII of the Constitution. (See Map X and compare with Map IX.) A number of changes, however, were made in the apportionment of members among the districts and among the counties within several of the districts, although the total number of Senators and Representatives apportioned remained the same.

To the first district there were apportioned two Senators and five Representatives; to the 2d district, two Senators and three Representatives; to the 3d, district one Senator and two Representatives; to the 4th district, one Senator and three Representatives; to the 5th district, one Senator and two Representatives; to the 6th district, two Senators and three Representatives; to the 7th district, one Senator and two Representatives; to the 8th district, one Senator and three Representatives; to the 9th district, one Senator and two Representatives; to the 10th district, one Senator and two Representatives; to the 11th district, one Senator and two Representatives; to the 12th district, one Senator and two Representatives; to the 13th district, one Senator and two Representatives; to the 14th district, one Senator and two Representatives; and to the 15th district, two Senators and four Representatives. Thus the total number of Senators was nineteen and of Representatives thirty-nine.

In the 4th district two of the Representatives were assigned to Wapello County, while Monroe and Lucas counties were to elect one jointly. In the 9th district

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Louisa and Washington counties were to elect each one Representative. Muscatine County in the 11th district had one Representative and the counties of Johnson and Iowa one jointly. Clinton and Scott counties forming the 12th district were assigned each one Representative. In the 13th district Cedar was entitled to one Representative and the counties of Linn, Benton, and Tama one jointly. The four Representatives apportioned to the 15th district were assigned three to the counties of Dubuque, Delaware, Buchanan, and Blackhawk jointly, and one to the counties of Clayton, Fayette, Winneshiek, and Allamakee jointly.

The enumeration of inhabitants which had been taken in 1847 gives to the several districts of 1849 the following population:

1st district, 13,231	6th district, 10,071	11th district, 6,832
2d district, 10,203	7th district, 6,759	12th district, 5,222
3d district, 5,415	8th district, 8,463	13th district, 7,075
4th district, 6,882	9th district, 7,166	14th district, 6,418
5th district, 4,856	10th district, 6,692	15th district, 11,159

THE ACT OF 1851

Since the Constitution expressly provided that after the first apportionment the General Assembly should "at every subsequent regular session, apportion the House of Representatives, and at every other regular session the Senate,"[1] one would naturally expect to find that at the regular session of 1850–51 the Representatives alone were re-apportioned. But the statute laws contain "An Act to re-apportion the State, and define the boundaries of Senatorial and Repre-

[1] Article III, section 31.

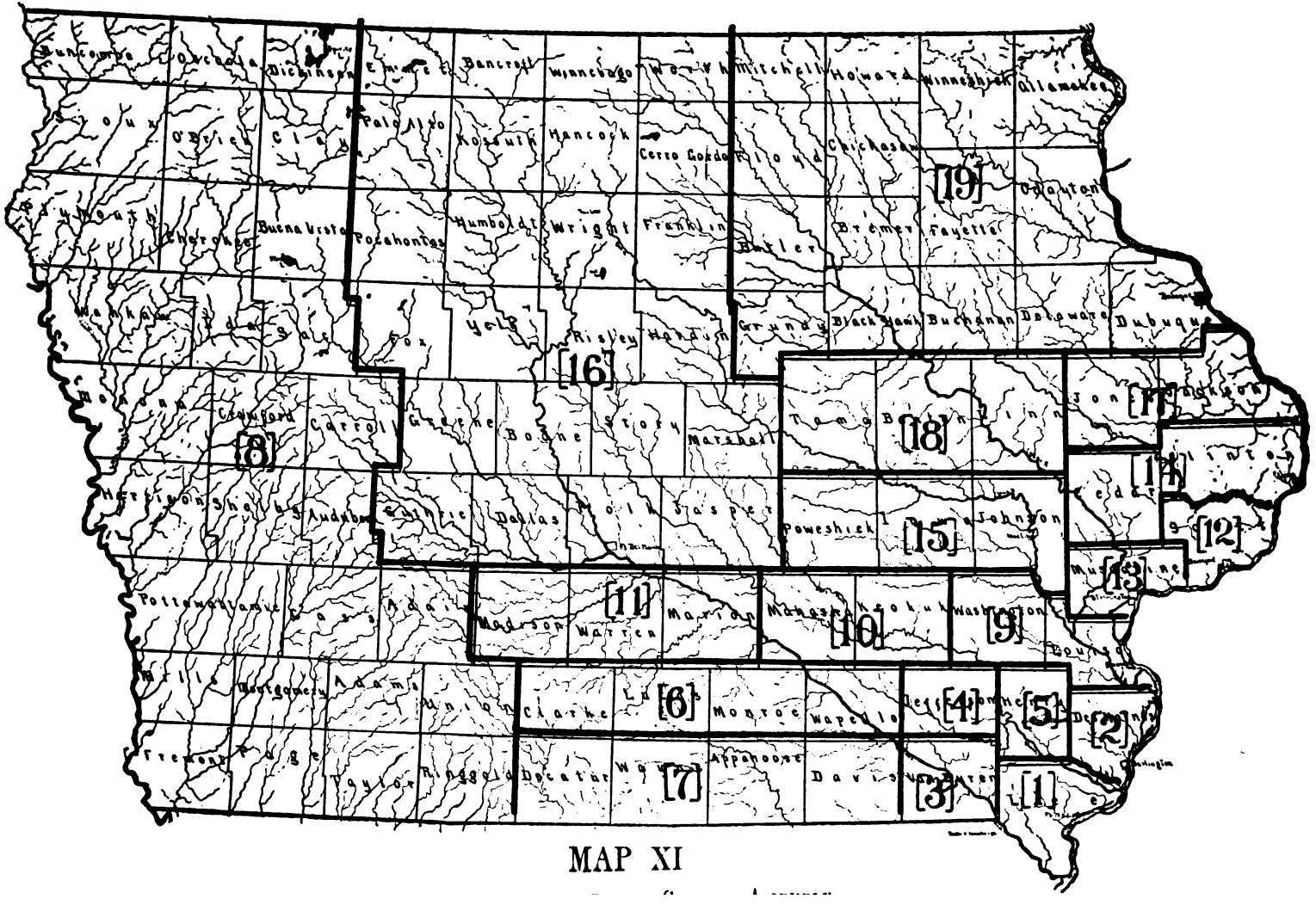
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sentative districts therein."[1] This departure from the strict letter of the Constitution may be accounted for and justified by the rapid increase in population and by the fact that since the last session of the General Assembly the remaining unorganized portions of the State had been mapped out into new counties with definitely established boundaries. A glance at the accompanying map will show that by 1851 the whole of Iowa had been divided into counties and that for the first time the assembly districts literally cover the whole State. (See Map XI.)

Among the nineteen districts, as shown on the map, thirty Senators and sixty-three Representatives were apportioned as follows: — To the 1st district, three Senators and six Representatives; to the 2d district, two Senators and four Representatives; to the 3d district, two Senators and four Representatives; to the 4th district, two Senators and three Representatives; to the 5th district, one Senator and three Representatives; to the 6th district, two Senators and four Representatives; to the 7th district, two Senators and four Representatives; to the 8th district, two Senators and three Representatives; to the 9th district, one Senator and four Representatives; to the 10th district, one Senator and three Representatives; to the 11th district, one Senator and three Representatives; to the 12th district, one Senator and two Representatives; to the 13th district, one Senator and two Representatives; to the 14th district, one Senator and two Representatives; to the 15th district, one Senator and two Representatives; to the 16th district, one Senator and three Representatives; to the 17th district, two Senators and

[1] *Laws of Iowa*, 1850–51, p. 200.

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MAP XI

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three Representatives; to the 18th district, one Senator and two Representatives; and to the 19th district, three Senators and six Representatives.

Within the districts special apportionments among the counties were as follows: — In the 6th district one Senator was assigned to all of the counties jointly, and one to the County of Wapello alone; while the four Representatives were apportioned, two to Wapello County, one to the counties of Monroe, Lucas, and Clarke jointly, and one to all the counties jointly. A similar arrangement was made in the 7th district where the County of Davis was given one Senator and all of the counties one Senator jointly; and the four Representatives were distributed, two to Davis County, one to the counties of Appanoose, Wayne, and Decatur, and one to all of the counties jointly. In the 8th district one Senator was assigned to Pottawattamie County and one to the counties of Mills, Montgomery, Adams, Union, Ringgold, Taylor, Page, and Fremont; while one Representative was given to Pottawattamie County, one to the eight counties just named jointly, and one to all of the counties jointly. The four Representatives in the 9th district were divided equally between the two counties. In the 10th district each county had one Representative, and one was to be elected by the counties jointly. Each of the two counties in the 14th district was given one Representative. In the 15th district Johnson County was alloted one Representative while the three counties were entitled to one jointly. Likewise in the 17th district Jackson County was assigned one Senator, and Jackson and Jones one Senator jointly; while two Representatives were given to Jackson County and one to Jones

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County. Finally, in the 19th district four of the Representatives were assigned to the counties of Dubuque, Delaware, Buchanan, Blackhawk, Grundy, Butler, and Bremer, and two to the remaining counties of Clayton, Fayette, Allamakee, Winneshiek, Howard, Mitchell, Floyd, and Chickasaw. In all the other districts the Senators and Representatives were to be elected jointly by the counties composing the districts.

According to the census of 1850 the population of the State of Iowa was 192,214. By assembly districts as established by the act of 1851 it was:

1st district, 18,861	8th district, 9,827	15th district, 5,909
2d district, 12,988	9th district, 9,896	16th district, 7,720
3d district, 12,270	10th district, 10,811	17th district, 10,217
4th district, 9,904	11th district, 7,622	18th district, 6,124
5th district, 8,707	12th district, 5,986	19th district, 19,273
6th district, 11,905	13th district, 5,731	
7th district, 11,700	14th district, 6,763	

THE ACT OF 1853

"An Act to re-apportion the State into Representative Districts," approved, January 24, 1853, aimed, as the title indicates, to establish districts solely for the apportionment of members of the lower branch of the General Assembly.[1] By its provisions forty-two districts were mapped out for the apportionment of seventy Representatives. (See Map XII. To avoid confusion in the case of overlapping or "floating" districts it has been necessary to give several of the districts in text beneath the map.)

Six Representatives were allotted to the 19th district;

[1] *Laws of Iowa*, 1852–53, p. 118.

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four each to the 5th, 17th, and 24th districts; three each to the 18th and 25th districts; two each to the 2d, 6th, 11th, 16th, 20th, 26th, 27th, 33d, 35th, and 41st districts; and one each to the 1st, 3d, 4th, 7th, 8th, 9th, 10th, 12th, 13th, 14th, 15th, 21st, 22d, 23d, 28th, 29th, 30th, 31st, 32d, 34th, 36th, 37th, 38th, 39th, 40th, and 42d.

From 1850 to 1852 the population of the State had increased from 192,214 to 229,932. This gave to the forty-two districts of the act of 1853 the following figures:

1st district, 3,573	15th district, 11,357	29th district, 5,306
2d district, 6,318	16th district, 6,812	30th district, 4,243
3d district, 3,062	17th district, 12,418	31st district, 3,430
4th district, 3,677	18th district, 9,633	32d district, 3,572
5th district, 12,508	19th district, 20,360	33d district, 7,479
6th district, 8,231	20th district, 6,870	34th district, 6,282
7th district, 4,201	21st district, 5,788	35th district, 9,602
8th district, 12,432	22d district, 7,111	36th district, 5,346
9th district, 4,971	23d district, 4,088	37th district, 6,861
10th district, 3,822	24th district, 12,753	38th district, 2,498
11th district, 8,621	25th district, 10,225	39th district, 3,159
12th district, 17,414	26th district, 7,553	40th district, 1,543
13th district, 5,881	27th district, 8,896	41st district, 5,057
14th district, 5,476	28th district, 14,202	42d district, ——[1]

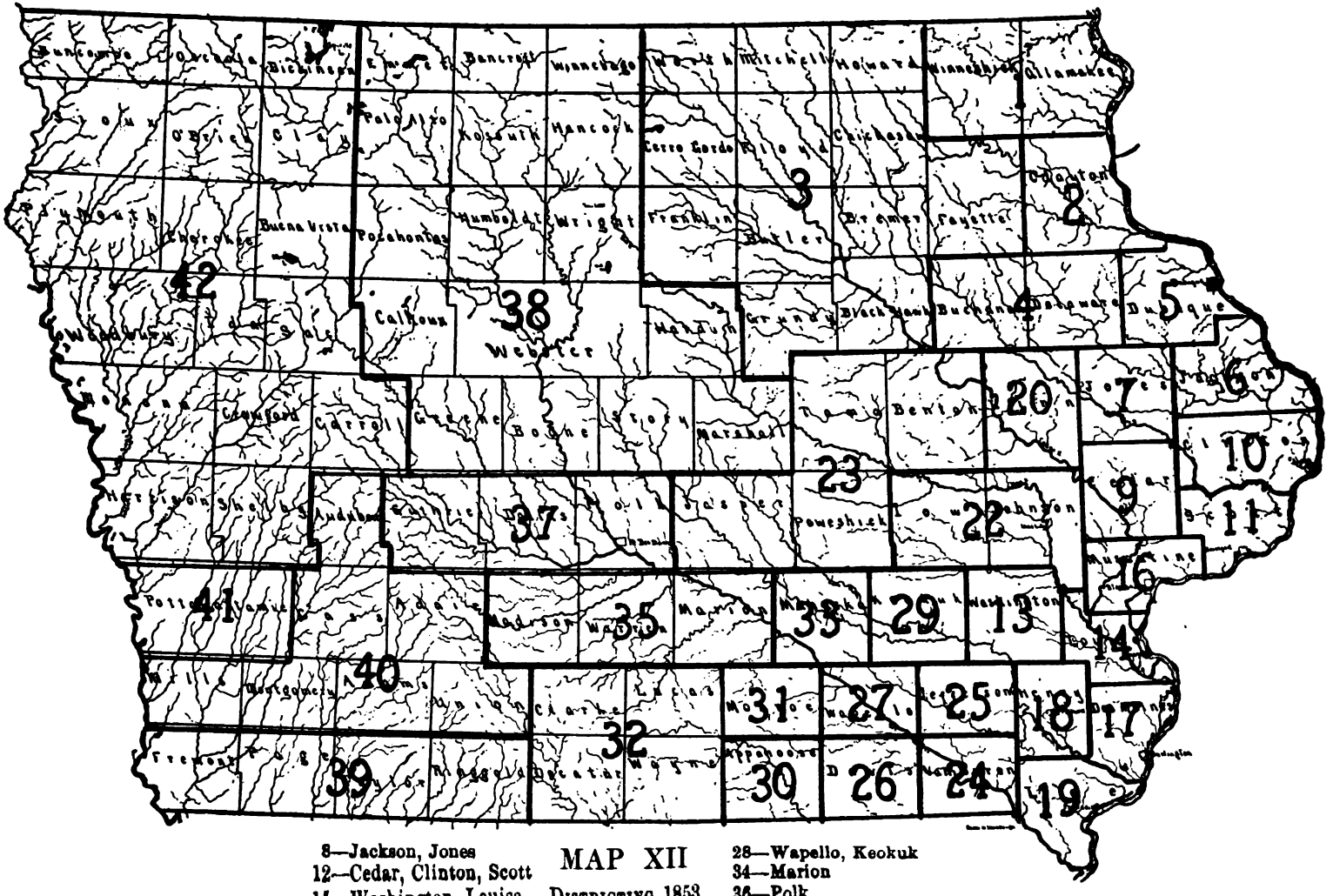
THE ACT OF 1855

This act was comprehensive. It established thirty-four senatorial and forty-eight representative districts, numbered each district separately, and apportioned among them thirty-six Senators and seventy-two Representatives.[2] Two sena-

[1] In the *Historical and Comparative Census of Iowa 1836-1880*, from which the statistical matter for this article is taken, the counties of this district are not credited with any population. The census return were possibly made to and included in other older counties.

[2] *Laws of Iowa*, 1854–55, p. 203.

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8—Jackson, Jones
12—Cedar, Clinton, Scott
15—Washington, Louisa

MAP XII

DISTRICTING 1853

28—Wapello, Keokuk
34—Marion
36—Polk

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torial districts alone, the 1st and 4th, received two Senators. The remaining thirty-two were allotted one each. Of the representative districts the 1st was given five Representatives, the 42d, four, the 2d, 3d, 5th, and 28th, three each, the 4th, 6th, 7th, 21st, 22d, 25th, 32d, 37th, and 43d, two each, and all the others one each. (See Map XIII for senatorial districts and Map XIV for representative districts.)

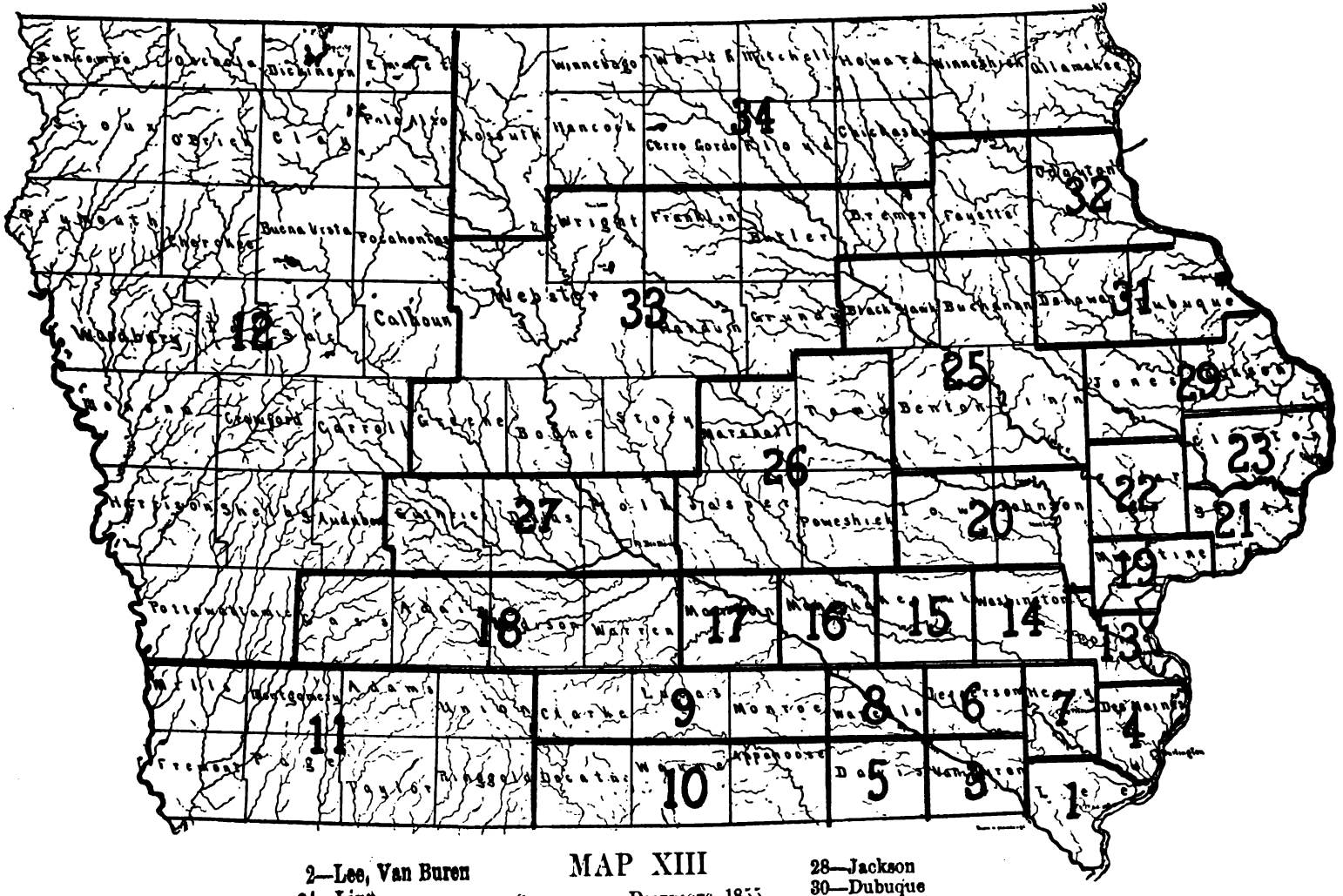
An interesting feature of the districting of 1855 was the overlapping of districts in some few instances. Thus, while the County of Lee constituted the 1st senatorial district and the County of Van Buren the 3d, the counties of Lee and Van Buren together formed the 2d district. Unfortunately such peculiarities cannot be indicated on the maps without confusion; and so it has been necessary to give some districts in text beneath the maps.

The census of 1854 upon which the apportionment of 1855 was based gives to the districts the following totals:

SENATORIAL DISTRICTS

1st district, 22,590	13th district, 7,341	25th district, 18,238
2d district, 36,433	14th district, 7,560	26th district, 8,753
3d district, 13,843	15th district, 7,293	27th district, 8,532
4th district, 16,700	16th district, 9,093	28th district, 12,166
5th district, 9,787	17th district, 9,315	29th district, 18,241
6th district, 11,117	18th district, 8,124	30th district, 16,630
7th district, 10,159	19th district, 9,555	31st district, 15,267
8th district, 10,521	20th district, 10,774	32d district, 9,337
9th district, 8,124	21st district, 12,671	33d district, 11,343
10th district, 10,954	22d district, 7,643	34th district, 8,169
11th district, 7,788	23d district, 7,306	
12th district, 4,845	24th district, 10,802	

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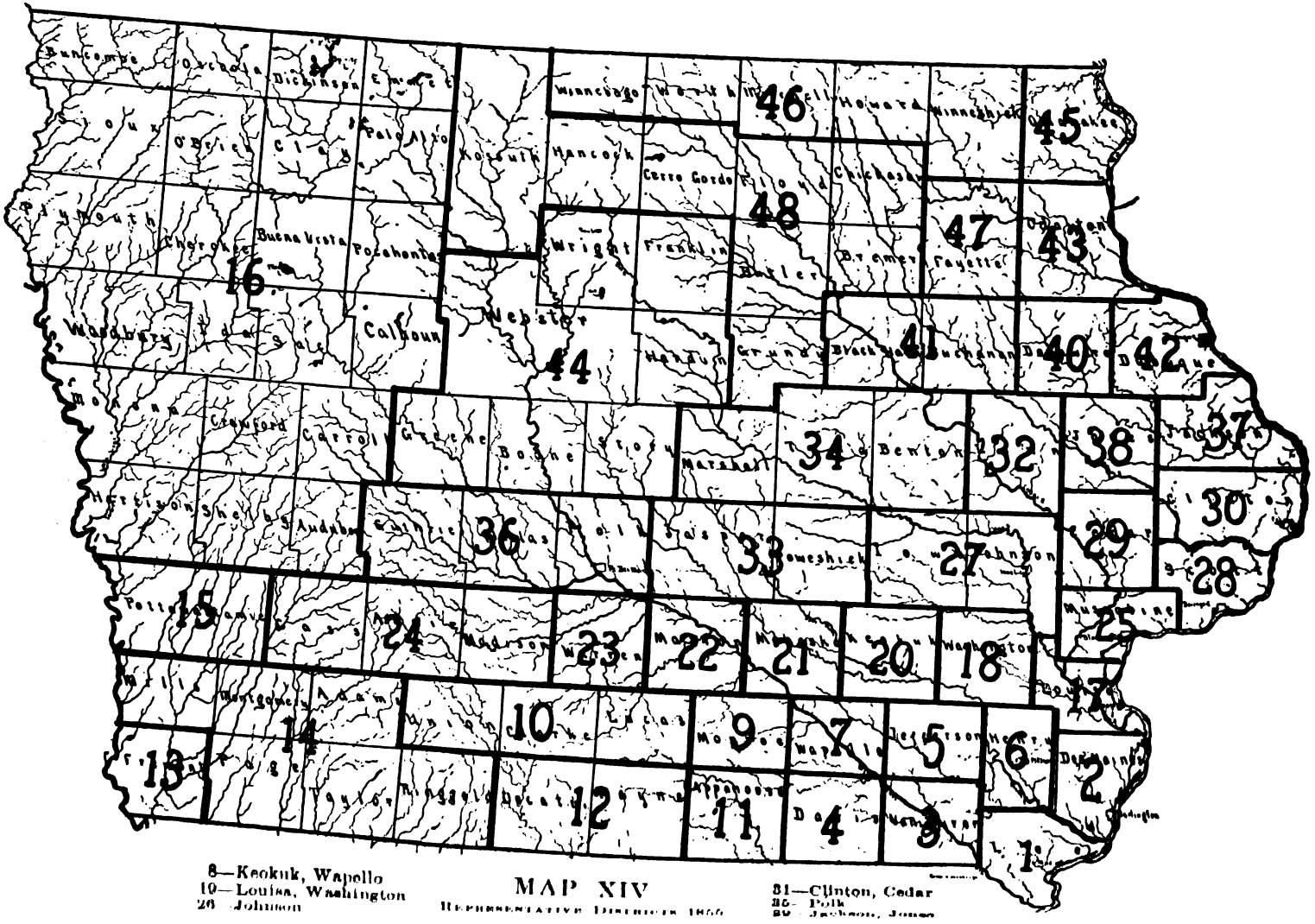


MAP XIII

SENATORIAL DISTRICTS 1855

2—Lee, Van Buren
24—Linn
28—Jackson
30—Dubuque

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8—Keokuk, Wapello
10—Louisa, Washington
26—Johnson

MAP XIV

REPRESENTATIVE DISTRICTS 1866

31—Clinton, Cedar
35—Polk
39—Jackson, Jones

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REPRESENTATIVE DISTRICTS

1st district, 22,590	17th district, 7,341	33d district, 5,419
2d district, 16,700	18th district, 7,560	34th district, 5,393
3d district, 13,843	19th district, 14,901	35th district, 5,368
4th district, 9,787	20th district, 7,293	36th district, 8,532
5th district, 11,117	21st district, 9,093	37th district, 12,166
6th district, 10,159	22d district, 9,315	38th district, 6,075
7th district, 10,521	23d district, 4,446	39th district, 18,241
8th district, 17,814	24th district, 3,678	40th district, 4,637
9th district, 4,577	25th district, 9,555	41st district, 4,813
10th district, 3,628	26th district, 8,467	42d district, 16,630
11th district, 6,265	27th district, 10,774	43d district, 9,337
12th district, 4,689	28th district, 12,671	44th district, 4,686
13th district, 3,006	29th district, 7,643	45th district, 4,266
14th district, 4,782	30th district, 7,306	46th district, 3,315
15th district, 3,060	31st district, 14,949	47th district, 5,142
16th district, 1,785	32d district, 10,802	48th district, 2,003

THE ACT OF 1857

This act, which was approved January 27, 1857,[1] was the last effort at assembly districting and apportionment under the Constitution of 1846. It relates solely to representative districts and the apportionment of Representatives. By its provisions fifty-five districts were established for the apportionment of seventy-two members of the lower house of the General Assembly. (See Map XV. As in the districtings of 1853 and 1855, and for the same reason, a few of the districts are given in the text beneath the map.)

Three districts—the 7th, 28th, and 54th—were assigned three Representatives each. Two each were given to the 4th, 22d, 23d, 26th, 27th, 32d, 39th, 49th, 51st, 52d, and

[1] *Laws of Iowa*, 1857, p. 170.

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53d districts. The remaining fifty-eight districts were assigned each one member.

III

THE PERIOD OF THE PRESENT CONSTITUTION

The present Constitution, which is generally referred to as the Constitution of 1857, went into effect on September 3, 1857, when it was declared by the Governor to be the supreme law of the State of Iowa.[1]

The first General Assembly under the new Constitution met on the first Monday in January, 1858. Unlike the Constitution of 1846 the new instrument of fundamental law did not attempt to district the State and apportion the members of the General Assembly. Senatorial districting and apportionment remained the same as in 1855 (Map XIII); while the members of the new House of Representatives were elected under the provisions of the act of 1857.[2]

CONSTITUTIONAL RESTRICTIONS UPON THE GENERAL ASSEMBLY

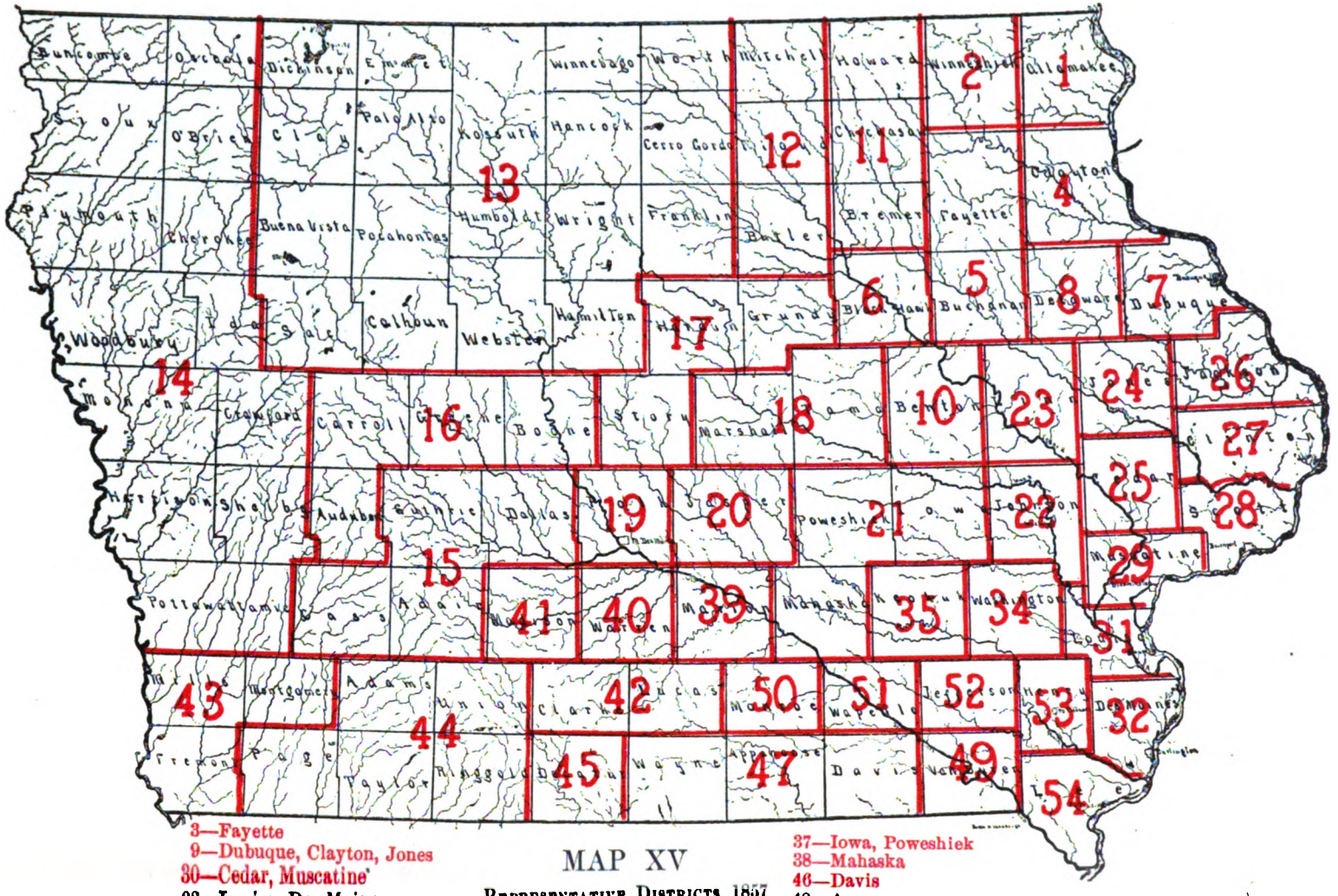
The various provisions of the Constitution of 1857 touching the powers and duties of the General Assembly in the matter of assembly districting and apportionment are as follows:

First. It is provided that "the General Assembly shall, in the years One thousand eight hundred and fifty nine, One thousand eight hundred and sixty three, One thousand eight hundred and sixty five, One thousand eight hundred and

[1] Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, p. 109.

[2] Constitution of 1857, Article XII, Sec. 6.

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3—Fayette
9—Dubuque, Clayton, Jones
30—Cedar, Muscatine
33—Louisa, Des Moines

MAP XV

REPRESENTATIVE DISTRICTS 1857

37—Iowa, Poweshiek
38—Mahaska
46—Davis
48—Appanoose

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sixty seven, One thousand eight hundred and sixty nine, and One thousand eight hundred and seventy five, and every ten years thereafter, cause an enumeration to be made of all the (white)[1] inhabitants of the state."[2]

Second. "The number of senators shall, at the next session following each period of making such [the above] enumeration, and the next session following each United States census, be fixed by law, and apportioned among the several counties, according to the number of (white)[3] inhabitants in each.[4]..... At its first session under this Constitution, and at every regular session, the General Assembly shall fix the ratio of representation, and also form into representative districts those counties which will not be entitled singly to a representative."[5]

Third. "The number of Senators shall not be less than one third, nor more than one half of the representative body;"[6] and "the Senate shall not consist of more than fifty members nor the House of Representatives of more than one hundred."[7]

Fourth. The members of the Senate and House of Representatives "shall be apportioned among the several counties and representative districts of the State, according to the number of (white)[8] inhabitants in each, upon ratios to

[1] Amended by striking out the word "white" in 1868.

[2] Constitution 1857, Article III, Sec. 33.

[3] Amended by striking out the word "white" in 1868.

[4] Constitution of 1857, Article III, Sec. 34.

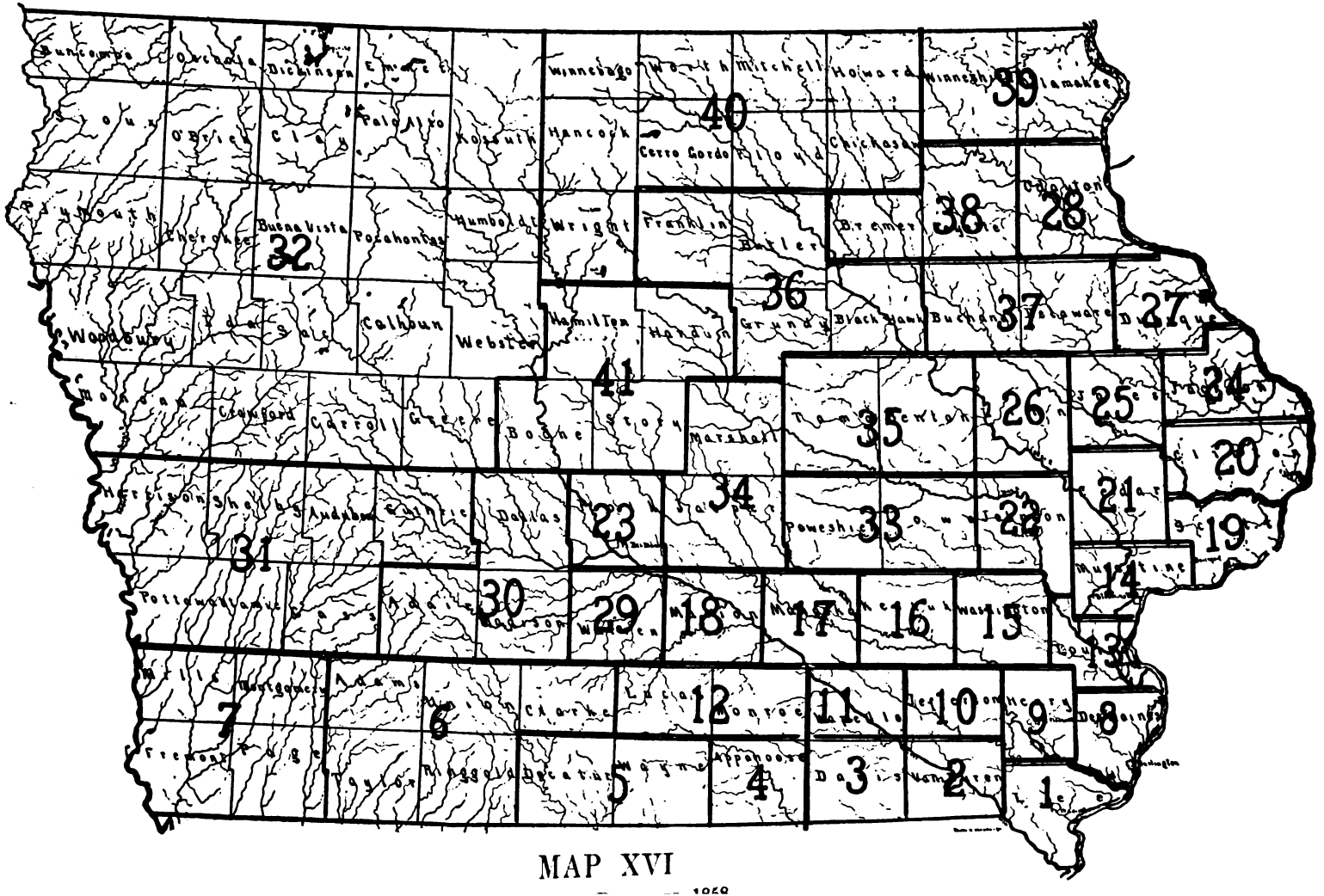
[5] Constitution of 1857, Article III, Sec. 36.

[6] Constitution of 1857, Article III, Sec. 6.

[7] Constitution of 1857, Article III, Sec. 35.

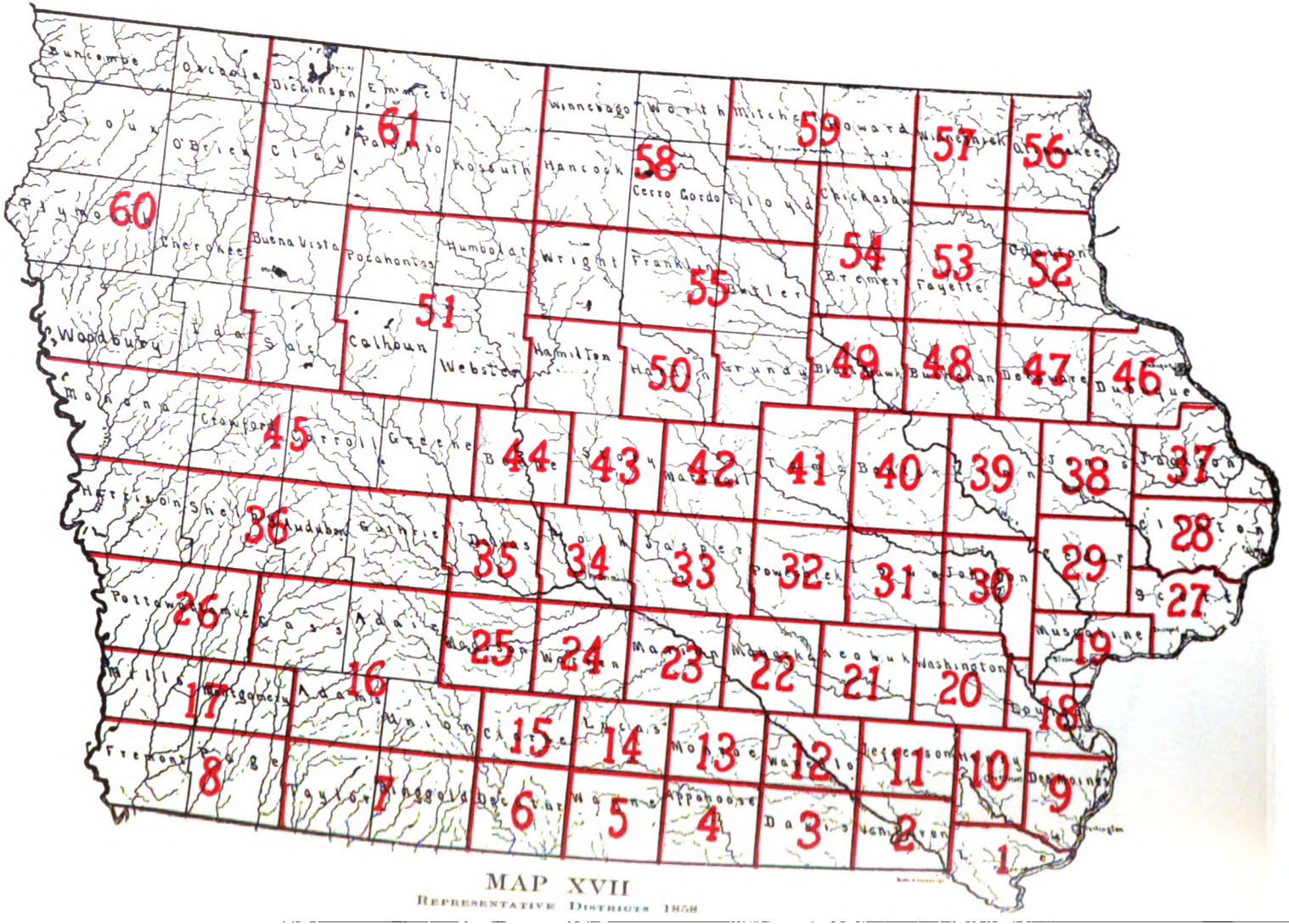
[8] Amended by striking out the word "white" in 1868.

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MAP XVI

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MAP XVII

REPRESENTATIVE DISTRICTS 1858

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be fixed by law; but no representative district shall contain more than four organized counties, and each district shall be entitled to at least one representative. Every county and district which shall have a number of inhabitants equal to one-half of the ratio fixed by law, shall be entitled to one representative; and any one county containing in addition to the ratio fixed by law, one half of that number, or more, shall be entitled to one additional representative. No floating district shall hereafter be formed."[1]

Fifth. "When a congressional, senatorial, or representative district shall be composed of two or more counties, it shall not be entirely separated by any county belonging to another district; and no county shall be divided in forming a congressional, senatorial or representative district."[2]

DISTRICTING AND APPORTIONMENT IN 1858

At its first regular session under the Constitution of 1857 the General Assembly passed two acts of apportionment. The first, entitled "An Act to re-apportion the State into Senatorial Districts," was approved March 20, 1858;[3] while the second, which was entitled "An Act determining the ratio of apportionment of the State into Representative Districts, and defining the boundaries thereof," received the executive approval two days later.[4]

The act to re-apportion the State into senatorial districts fixed the ratio for the apportionment at "one Senator for each seventeen thousand two hundred inhabitants, or frac-

[1] Constitution of 1857, Article III, Sec. 35.

[2] Constitution of 1857, Article III, Sec. 37.

[3] *Laws of Iowa*, 1858, p. 121. [4] *Ibid*, p. 241.

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tion thereof exceeding one-half in each Senatorial District." Upon this basis forty-one districts were established. (See Map XVI.) To each district one Senator was assigned, except the 1st and 27th which under the ratio were entitled to two each.

In the apportionment of Representatives the ratio was fixed at "one Representative to each seven thousand inhabitants or fraction thereof exceeding one-half in each Representative District." The number of districts established was sixty-one, and the whole number of Representatives apportioned was eighty-six. (See Map XVII.) Four Representatives were allotted to the 1st district and four to the 46th. The 9th and 27th were given each three Representatives. Those receiving two Representatives were the 2d, 3d, 10th, 11th, 12th, 19th, 20th, 21st, 22d, 23d, 28th, 30th, 37th, 39th, and 52d. The remaining districts were assigned each one member.

DISTRICTING AND APPORTIONMENT IN 1860

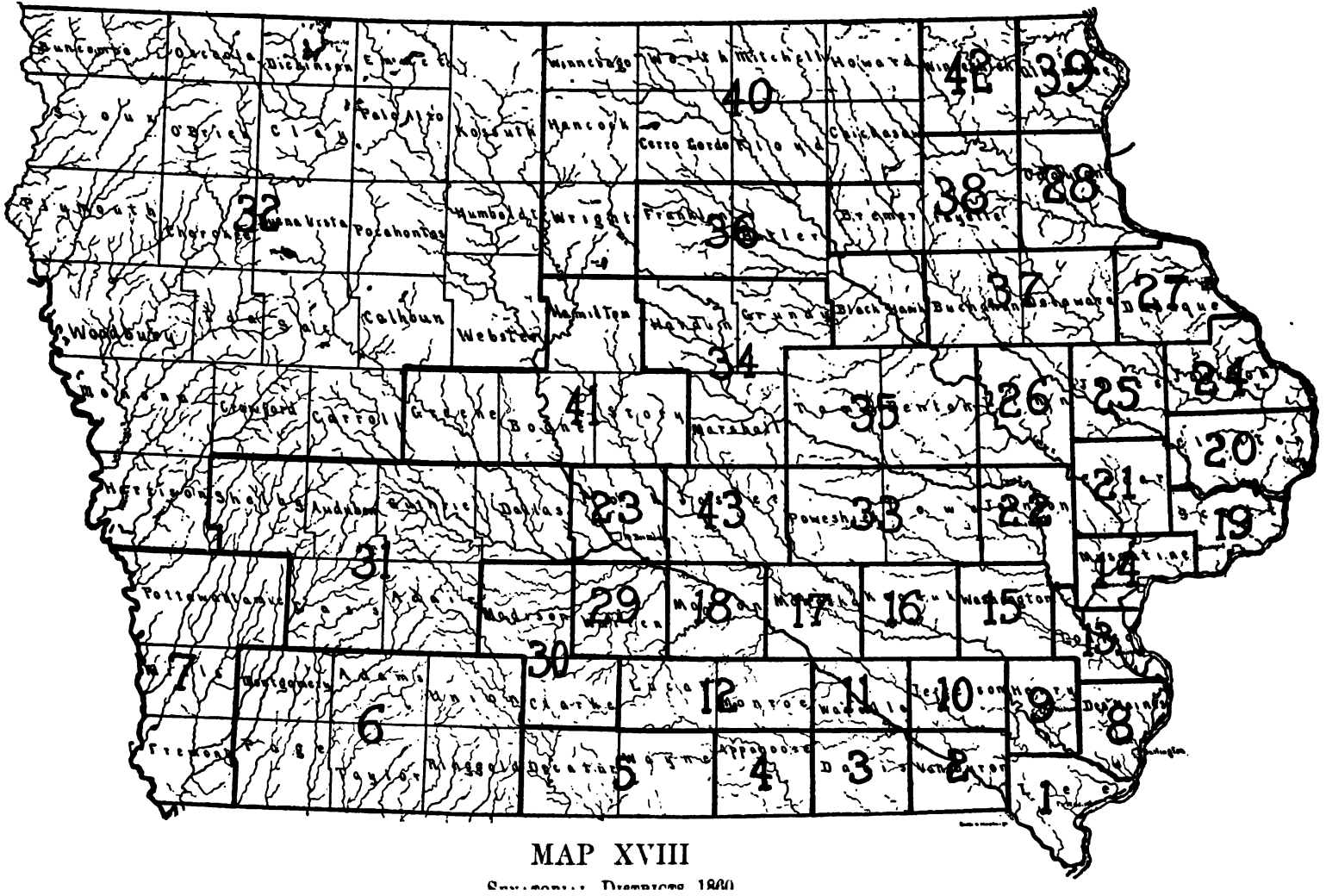
The two acts relative to districting and apportionment passed by the Eighth General Assembly in 1860 were entitled "An Act to re-apportion the State into Senatorial Districts"[1] and "An Act apportioning the State of Iowa into Representative Districts."[2] They were approved on March 30 and April 2 respectively.

The ratio for the senatorial apportionment was "one Senator for each seventeen thousand inhabitants or fraction thereof, exceeding one-half in each Senatorial District."

[1] *Laws of Iowa*, 1860, p. 56.

[2] *Laws of Iowa*, 1860, p. 72.

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MAP XVIII

SENATORIAL DISTRICTS 1860

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For the Representative apportionment it was "one Representative to seven thousand five hundred inhabitants, or fraction thereof exceeding one-half in each Representative District."

The one act apportioned forty-six Senators among forty-three districts. Each district was allotted one Senator, except the 1st, 19th, and 27th which were given two each. (See Map XVIII.)

The other act apportioned ninety-four Representatives among sixty-four districts. To the 1st and 42d districts four Representatives each were allowed; to the 7th and 31st, three each; to the 2d, 3d, 4th, 8th, 9th, 10th, 17th, 18th, 19th, 20th, 24th, 25th, 32d, 33d, 34th, 35th, 36th, 47th, 48th, and 52d, two each; and to all others one each. (See Map XIX.)

DISTRICTING AND APPORTIONMENT IN 1862

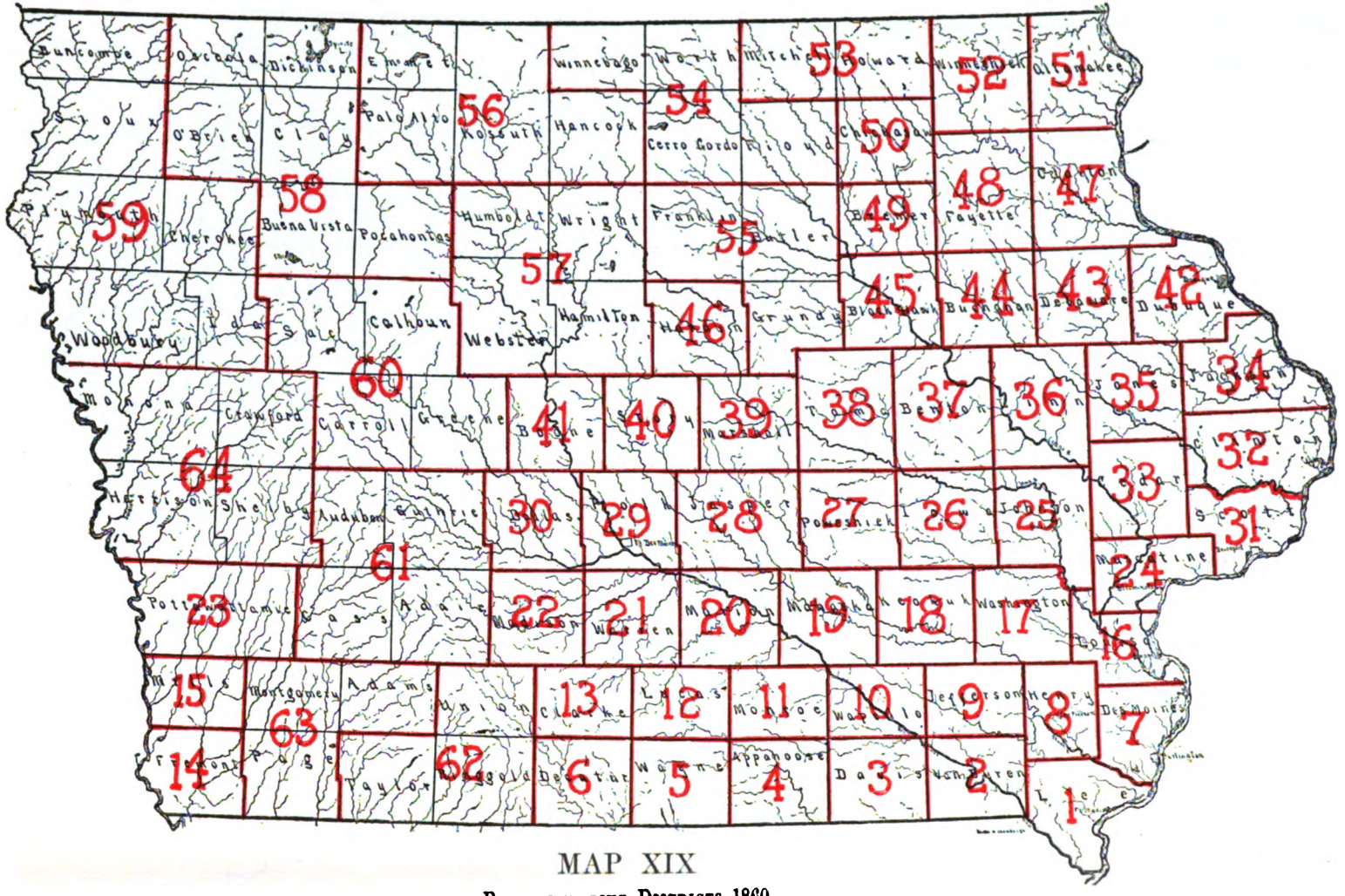
The two acts relative to districting and apportionment passed by the Ninth General Assembly in 1862 were entitled "An Act to apportion the State into Senatorial Districts"[1] and "An Act apportioning the State of Iowa into Representative Districts."[2] They were approved on March 5 and April 8 respectively.

The ratio for the senatorial apportionment was "one Senator for each seventeen thousand two hundred inhabitants or fraction thereof exceeding one-half in each Senatorial District." For the representative apportionment it was "one Representative to eight thousand five hundred inhabitants,

[1] *Laws of Iowa*, 1862, p. 118.

[2] *Laws of Iowa*, 1862, p. 199.

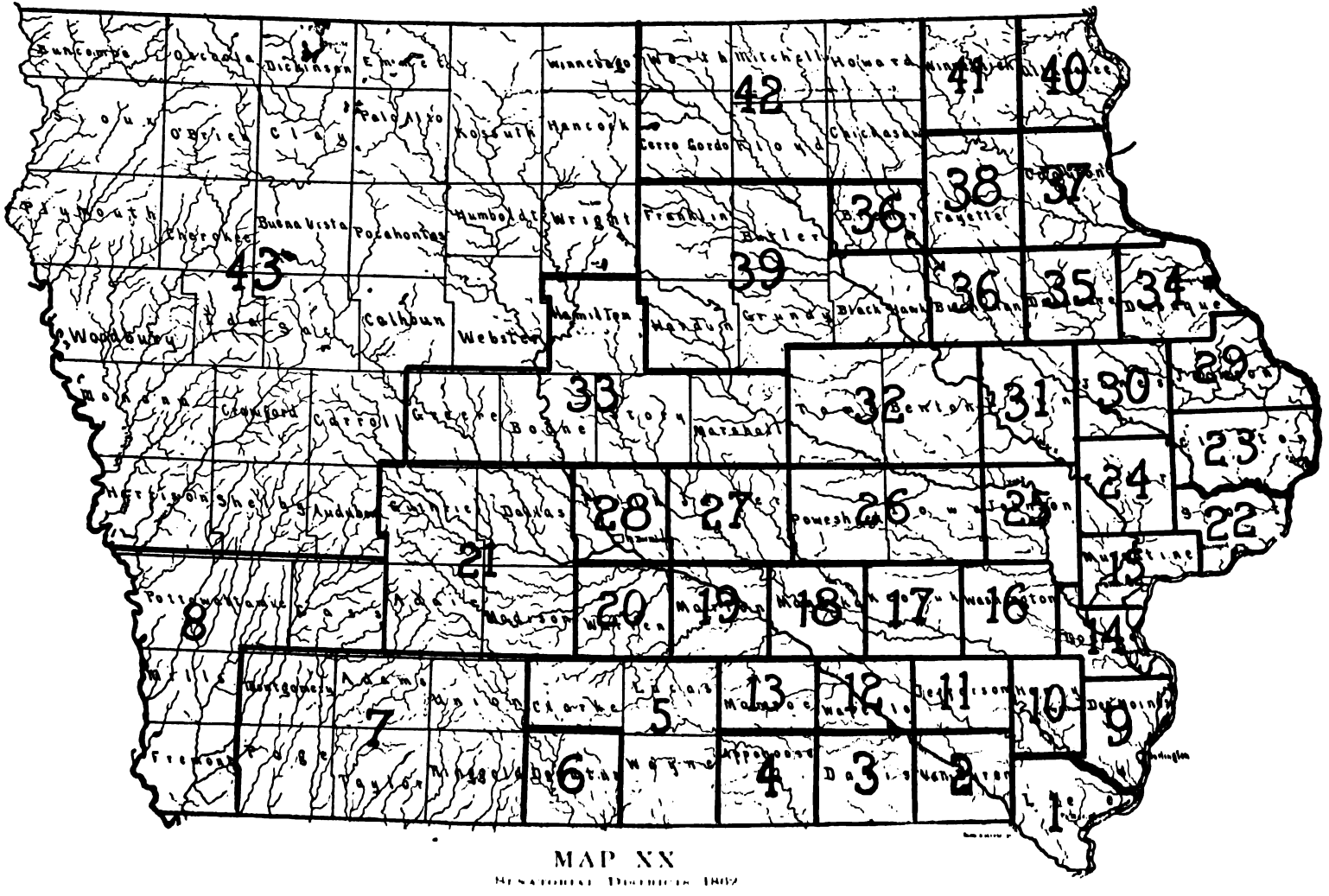
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MAP XIX

REPRESENTATIVE DISTRICTS 1860

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MAP XX

REPRESENTATIVE DISTRICTS 1902

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or fraction thereof exceeding one-half in each representative district."

The one act apportioned forty-six Senators among forty-three districts, giving to each district one Senator, except the 1st, 22d, and 34th which were allotted two each. (See Map XX.)

The other act apportioned ninety Representatives among sixty-six districts as follows:—To the 41st, four; to the 1st and 32d, three each; to the 2d, 3d, 8th, 9th, 10th, 18th, 19th, 20th, 21st, 25th, 26th, 33d, 34th, 35th, 36th, 37th, and 46th, two each; and to all others one each. (See Map XXI.)

DISTRICTING AND APPORTIONMENT IN 1864

The two acts relative to districting and apportionment passed by the Tenth General Assembly in 1864 were entitled "An Act to apportion the State into Senatorial Districts."[1] and "An Act apportioning the State into Representative Districts."[2] They were approved on April 5 and March 28 respectively.

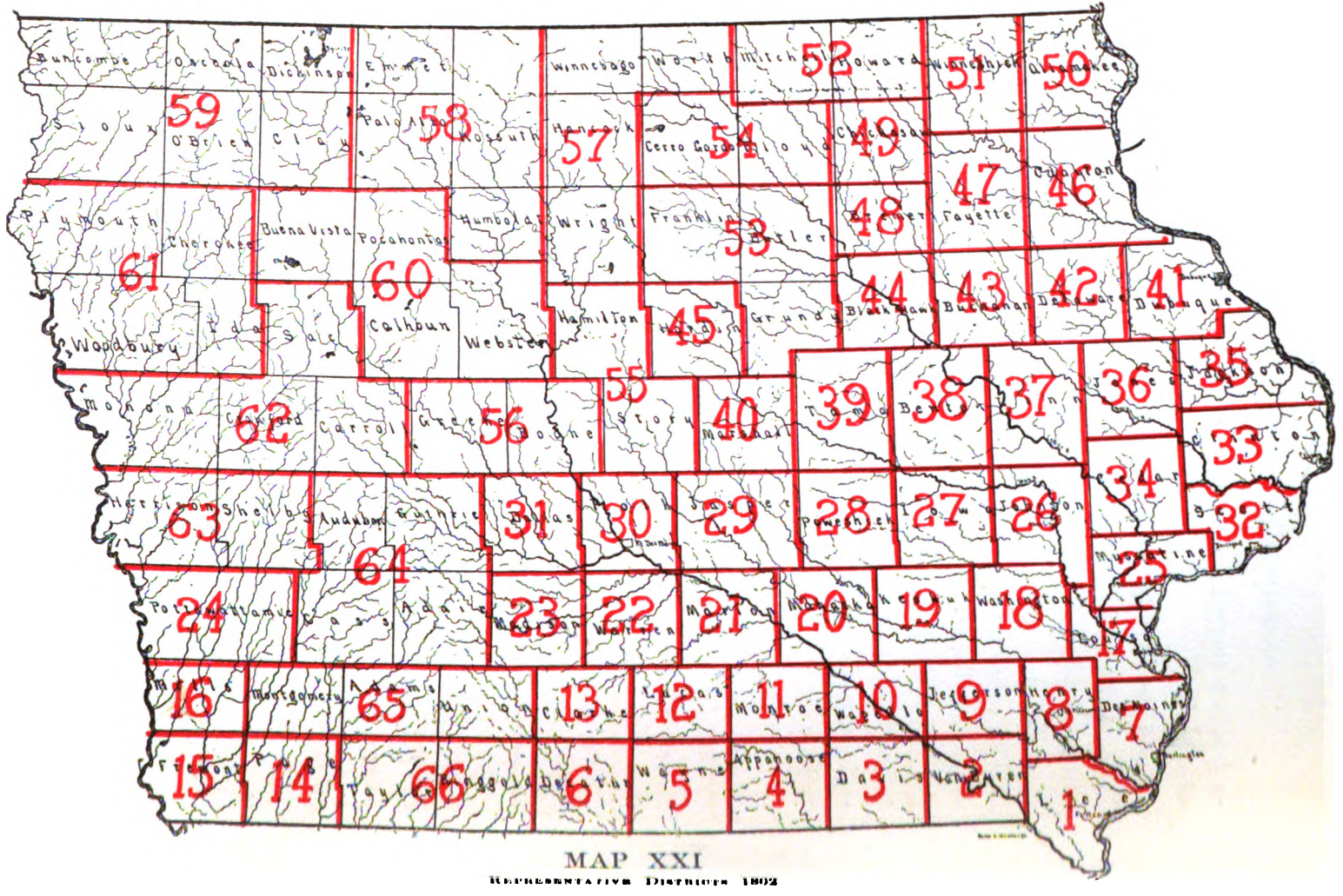
The ratio for the senatorial apportionment was "one Senator for each seventeen thousand two hundred inhabitants or fraction thereof exceeding one-half in each Senatorial District." For the representative apportionment it was fixed at "one Representative to eight thousand four hundred and fifty inhabitants or fraction thereof equal to one-half in each Representative District."

The one act apportioned forty-eight Senators among

[1] *Laws of Iowa*, 1864, p. 157.

[2] *Laws of Iowa*, 1864, p. 127.

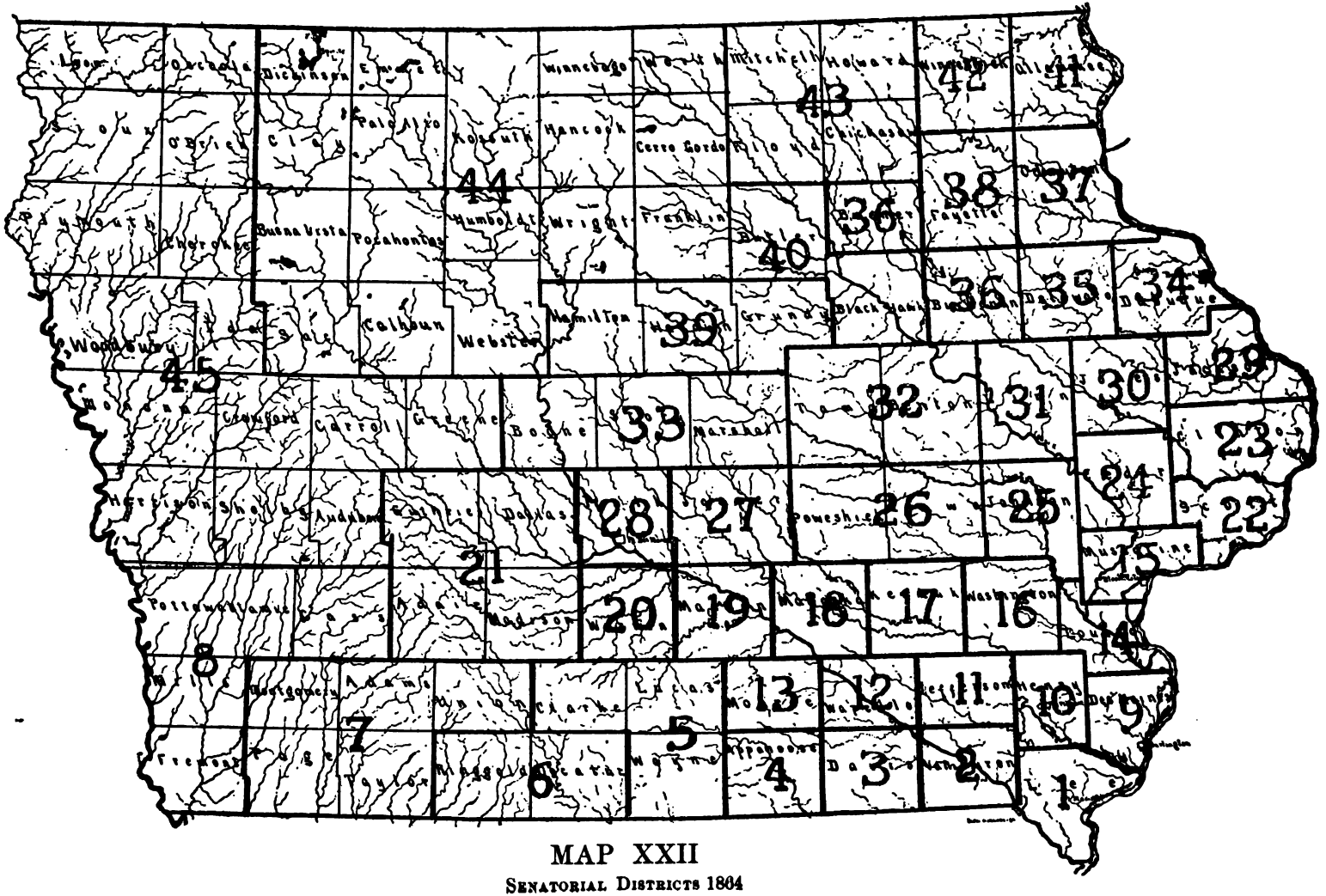
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MAP XXI

REPRESENTATIVE DISTRICTS 1902

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MAP XXII

SENATORIAL DISTRICTS 1864

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forty-five districts, giving to each district one Senator, except the 1st, 22d, and 34th, which were assigned two each. (See Map XXII.)

The other act apportioned ninety-eight Representatives among sixty-seven districts as follows: To the 41st, four; to the 1st, 7th, 32d, and 46th, three each; to the 2d, 3d, 8th, 9th, 10th, 18th, 19th, 20th, 21st, 25th, 26th, 30th, 33d, 34th, 35th, 36th, 37th, 47th, 50th, and 51st, two each; and to all others one each. (See Map XXIII.)

DISTRICTING AND APPORTIONMENT IN 1866

The two acts relative to districting and apportionment passed by the Eleventh General Assembly in 1866 were entitled "An Act apportioning the State of Iowa into Senatorial Districts"[1] and "An Act apportioning the State of Iowa into Representative Districts."[2] They were approved April 2 and April 3 respectively.

The ratio for the senatorial apportionment was "one Senator to eighteen thousand inhabitants or fraction thereof equal to one-half in each Senatorial District." For the representative apportionment it was fixed at "one Representative to eight thousand five hundred inhabitants or fraction thereof equal to one-half in each Representative District."

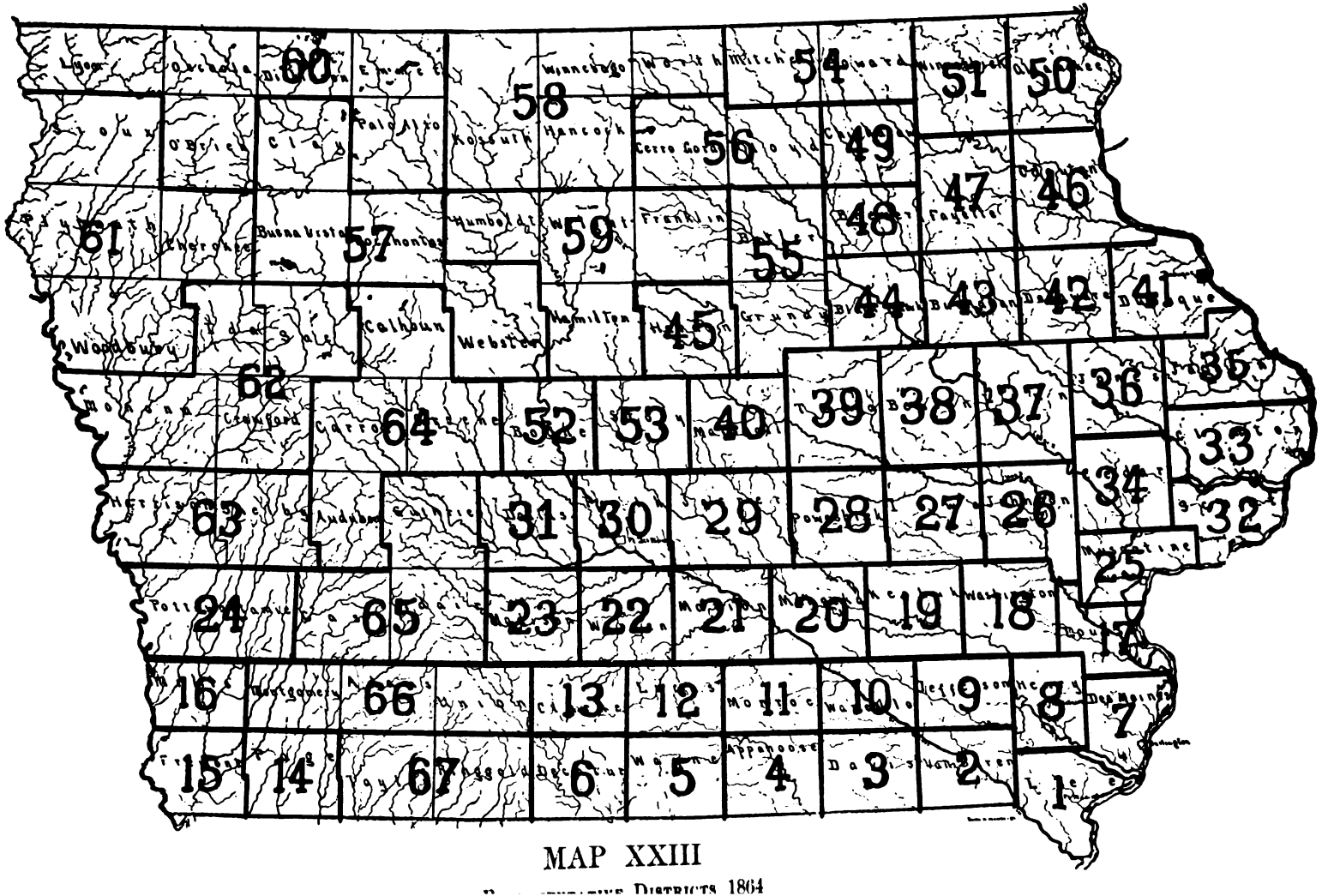
The one act apportioned forty-nine Senators among forty-six districts, giving to each district one Senator, except the 1st, 22d, and 34th which were assigned two each. (See Map XXIV.)

The other act apportioned ninety-nine Representatives

[1] *Laws of Iowa*, 1866, p. 117.

[2] *Laws of Iowa*, 1866, p. 152.

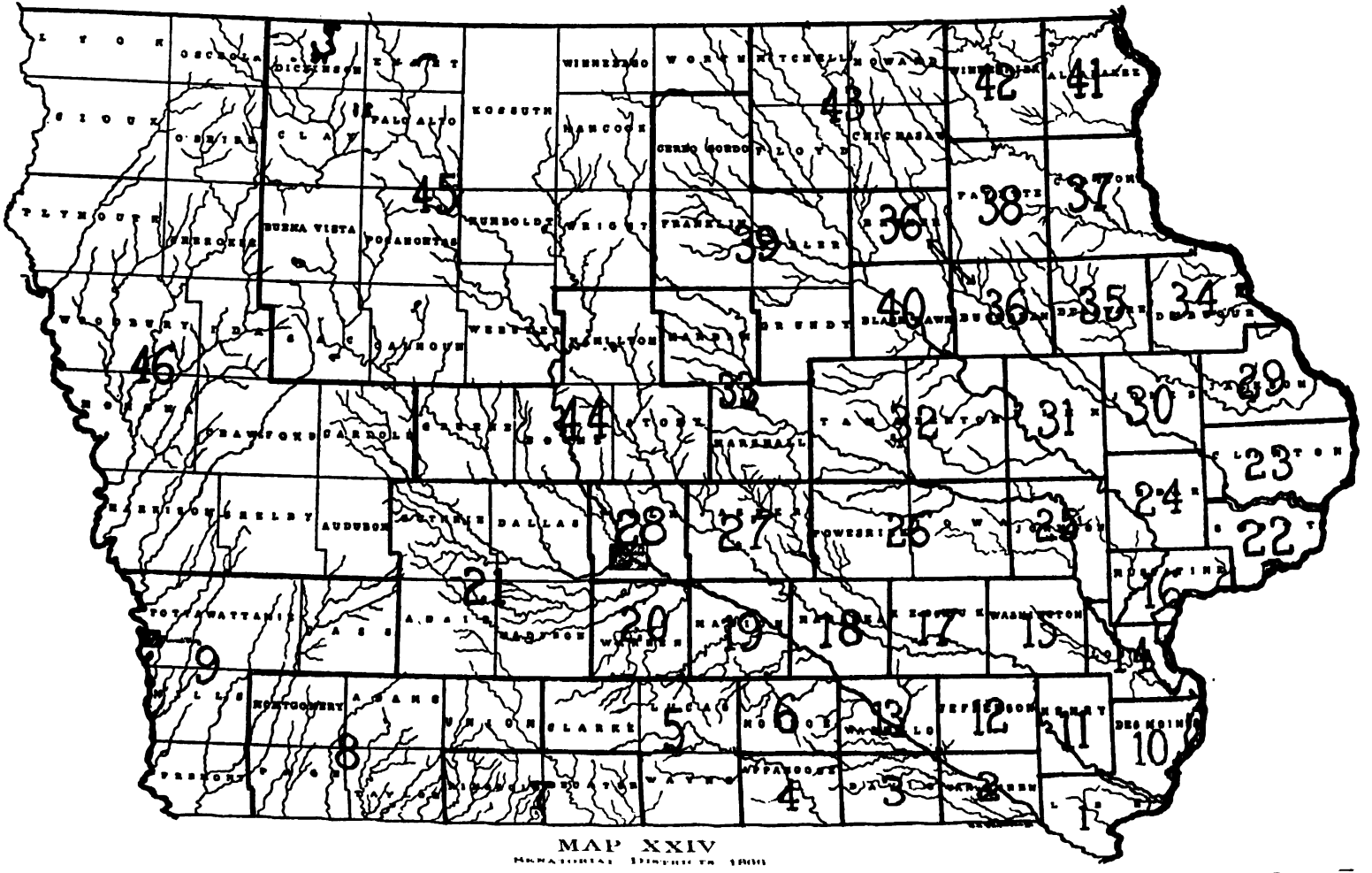
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MAP XXIII

REPRESENTATIVE DISTRICTS 1864

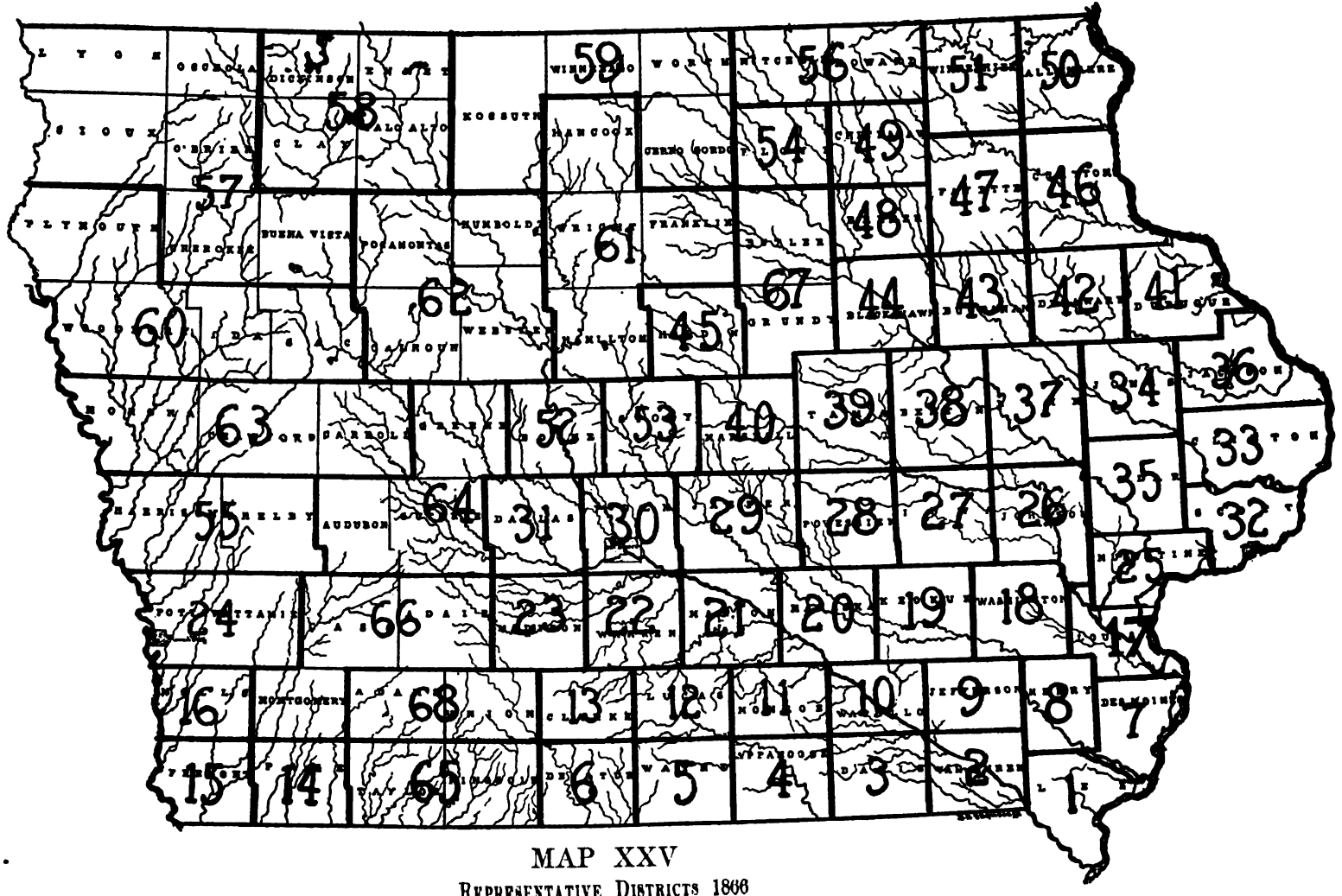
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MAP XXIV

REPRESENTATIVE DISTRICTS 1901

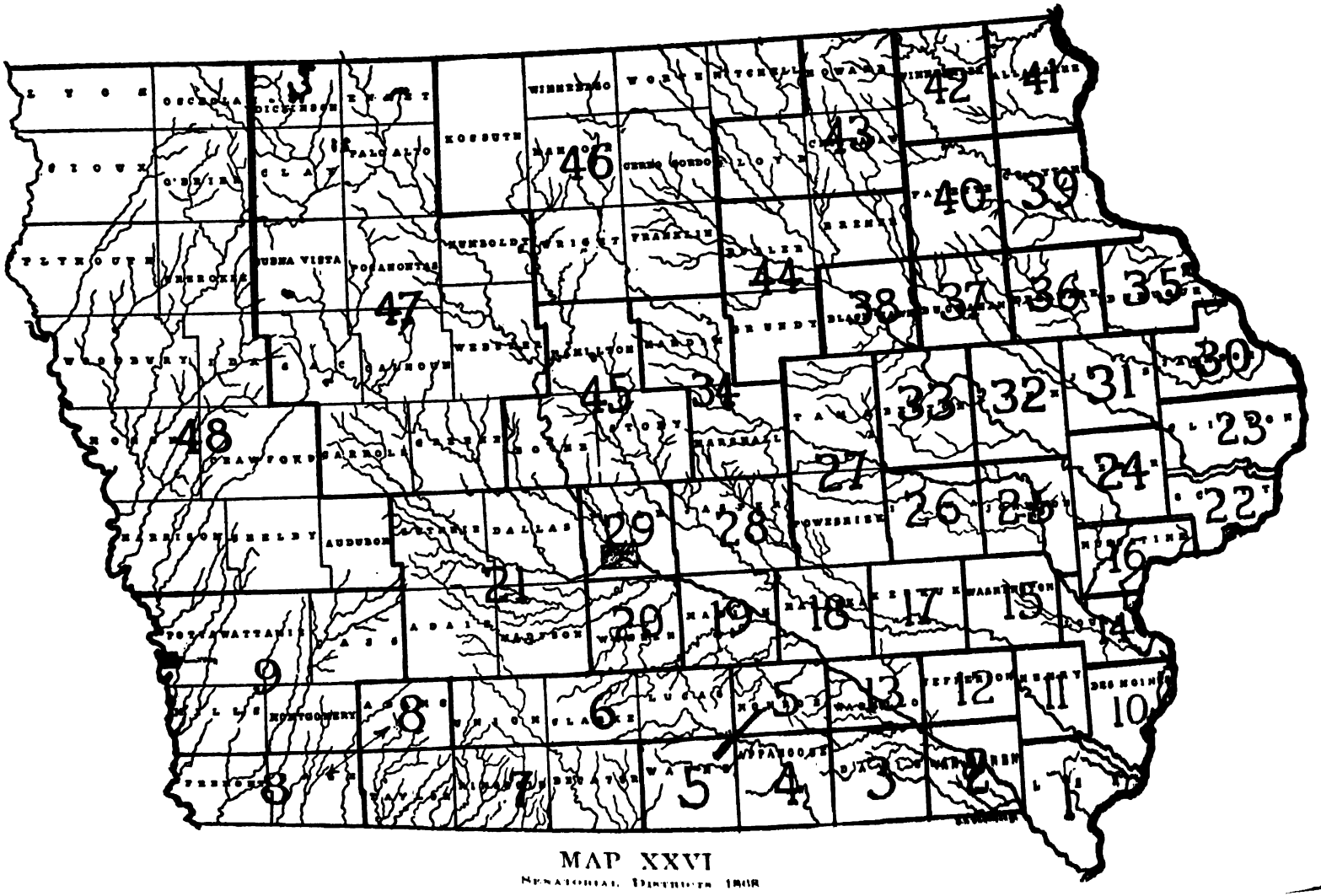
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MAP XXV

REPRESENTATIVE DISTRICTS 1866

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MAP XXVI

SENATORIAL DISTRICTS 1868

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among sixty-eight districts as follows:—To the 41st, four; to the 1st, 32d, 33d, and 46th, three each; to the 2d, 3d, 7th, 8th, 9th, 10th, 18th, 19th, 20th, 21st, 25th, 26th, 30th, 34th, 35th, 36th, 37th, 47th, 50th, and 51st, two each; and to all others one each. (See Map XXV.)

DISTRICTING AND APPORTIONMENT IN 1868

The two acts relative to districting and apportionment passed by the Twelfth General Assembly in 1868 were entitled "An Act apportioning the State into Senatorial Districts"[1] and "An Act apportioning the State of Iowa into Representative Districts, and Declaring the Ratio of Representation."[2] They were approved on April 8 and April 7 respectively.

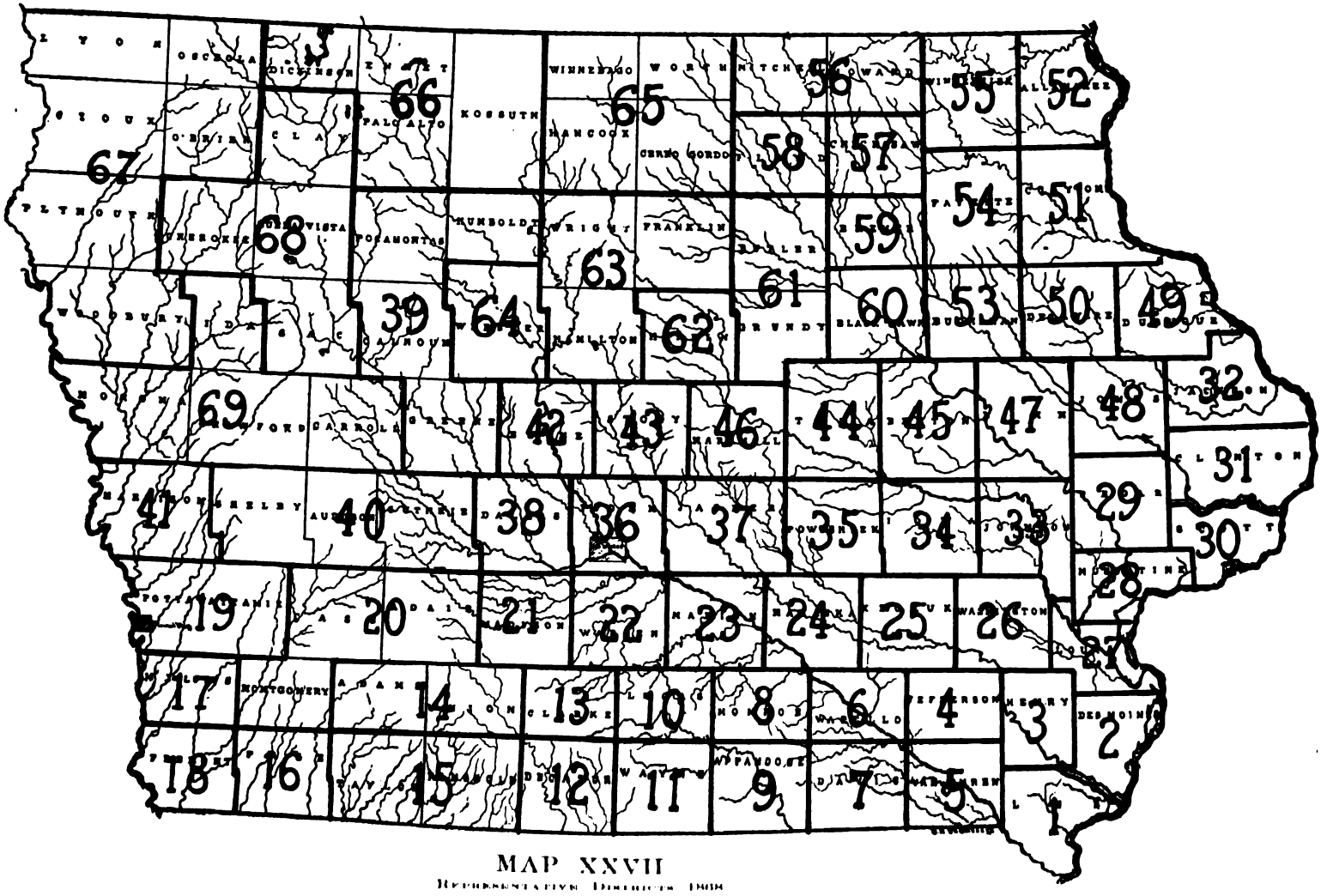
The ratio for the senatorial apportionment was fixed at "one Senator to twenty-two thousand and five hundred inhabitants in each senatorial district." For the representative apportionment it was "one representative for every nine thousand eight hundred and fifty inhabitants in each representative district."

The one act apportioned fifty Senators among forty-eight districts, giving to each district one Senator, except the 22d and 35th which were assigned two each. (See Map XXVI.)

The other act apportioned one hundred Representatives among sixty-nine districts, as follows:—To the 49th, four; to the 1st, 30th, and 31st, three each; to the 2d, 3d, 4th, 5th, 6th, 23d, 24th, 25th, 26th, 28th, 29th, 32d, 33d, 36th, 37th, 47th, 48th, 51st, 52d, 54th, 55th, and 60th, two each; and to all other districts one each. (See Map XXVII.)

[1] *Laws of Iowa*, 1868, p. 268.
[2] *Laws of Iowa*, 1868, p. 209.

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MAP XXVII

Representative Districts 1908

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DISTRICTING AND APPORTIONMENT IN 1870

The two acts relative to districting and apportionment passed by the Thirteenth General Assembly in 1870 were entitled "An Act Apportioning the State of Iowa into Senatorial Districts"[1] and "An Act Apportioning the State of Iowa into Representative Districts, and Declaring the Ratio of Representation."[2] They were approved on April 16 and April 13 respectively.

The ratio for the senatorial apportionment was "one Senator to twenty-five thousand inhabitants, or fraction thereof equal to one-half in each senatorial district." For the representative apportionment it was fixed at "one representative for every eleven thousand one hundred and seventy inhabitants, in each representative district."

The one act apportioned fifty Senators among forty-nine districts, giving to each district one, except the 22d which was assigned two. (See Map XXVIII.)

The other act apportioned one hundred Representatives among seventy districts as follows:—To the 1st, 30th, 31st, and 49th, three each; to the 2d, 3d, 4th, 5th, 6th, 23d, 24th, 25th, 26th, 28th, 29th, 32d, 33d, 36th, 37th, 45th, 47th, 48th, 51st, 52d, 55th, and 60th, two each; and to all others one each. (See Map XXIX.)

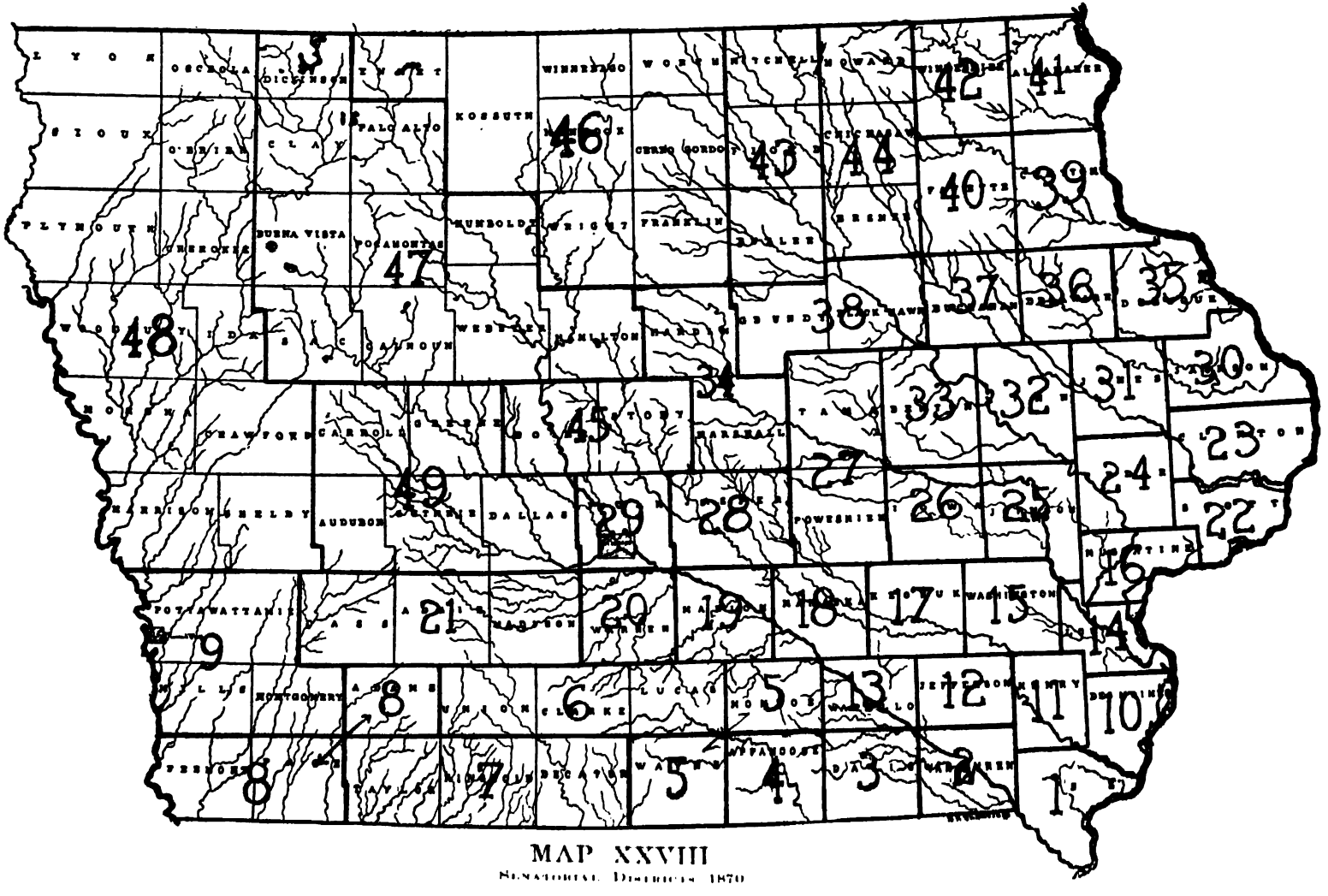
DISTRICTING AND APPORTIONMENT IN 1872

The two acts relative to districting and apportionment passed by the Fourteenth General Assembly in 1872 were entitled "An Act Apportioning the State of Iowa into Sena-

[1] *Laws of Iowa*, 1870, p. 234.

[2] *Laws of Iowa*, 1870, p. 135.

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MAP XXVIII

SENATORIAL DISTRICTS 1870

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MAP XXIX

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torial Districts"[1] and "An Act Apportioning the State into Representative Districts, and Declaring the Ratio of Representation."[2] They were approved on April 23.

The ratio for the senatorial apportionment was "one senator to thirty thousand inhabitants, or fraction thereof equal to one-half in each senatorial district." For the representative apportionment it was "one representative for every twelve thousand and five hundred inhabitants, in each representative district."

The one act apportioned fifty Senators among fifty districts. (See Map XXX.) The other apportioned one hundred Representatives among seventy-three districts, giving to the 1st, 30th, 31st, and 56th, three each; to the 2d, 3d, 6th, 24th, 25th, 26th, 27th, 29th, 32d, 33d, 36th, 37th, 50th, 51st, 53d, 54th, 55th, 58th, and 61st, two each; and to all others one each. (See Map XXXI.)

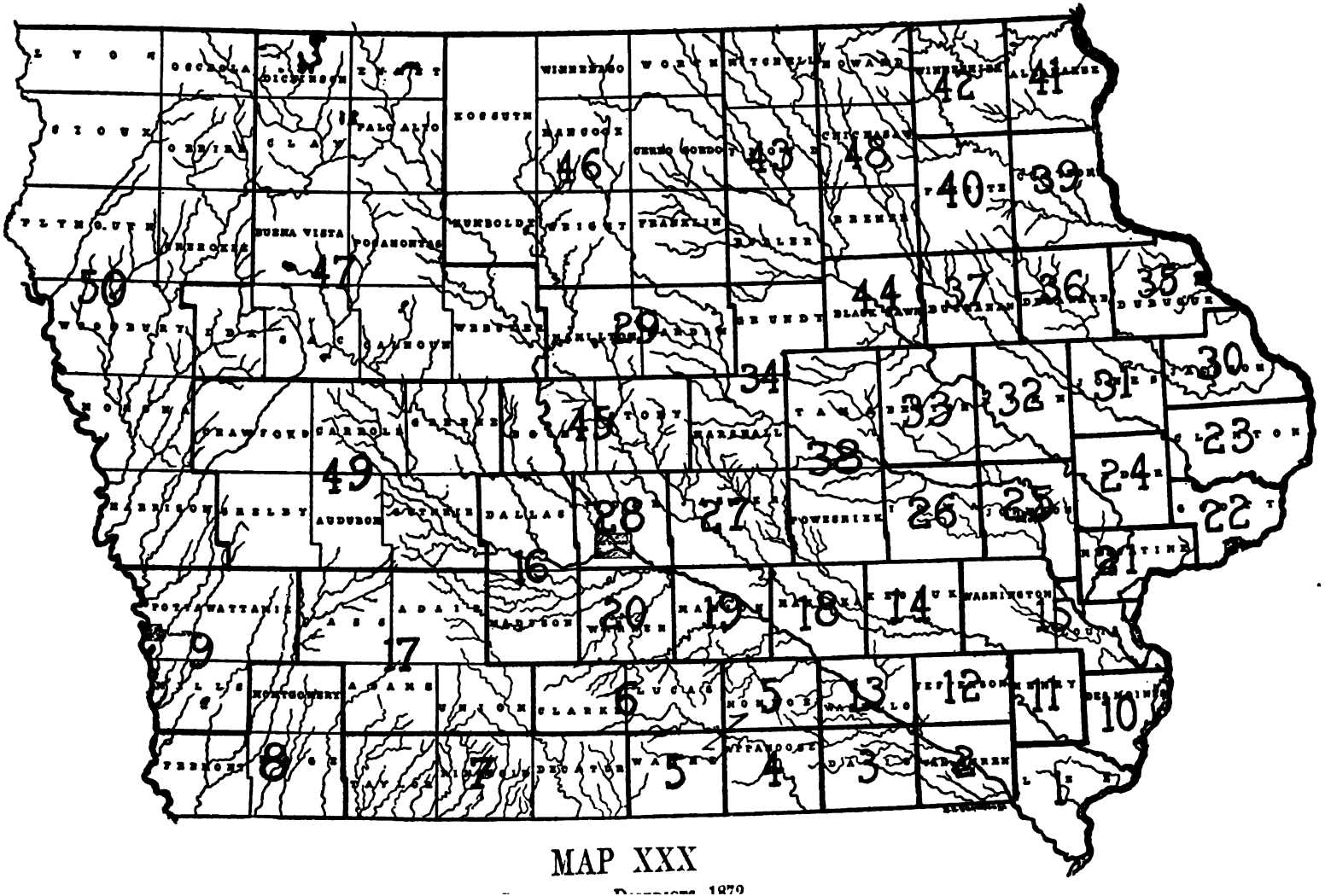
DISTRICTING AND APPORTIONMENT IN 1874

The one act passed by the Fifteenth General Assembly in 1874, entitled "An Act Apportioning the State into Representative Districts and Declaring the Ratio of Representation," was approved on March 23.[3]

It fixed the ratio at "one representative for every twelve thousand and five hundred inhabitants, in each representative district," and apportioned one hundred Representatives among seventy-three districts as follows:—To the 1st, 30th, 31st, and 56th, three each; to the 2d, 3d, 6th, 24th, 25th,

[1] *Laws of Iowa* (Private, Local, and Temporary Acts), 1872, p. 101.
[2] *Laws of Iowa* (Private, Local, and Temporary Acts), 1872, p. 97.
[3] *Laws of Iowa* (Private, Local, and Temporary Acts), 1874, p. 71.

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MAP XXX

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26th, 27th, 29th, 32d, 33d, 36th, 37th, 50th, 51st, 53d, 54th 55th, 58th, and 61st, two each; and to all others one each. Thus it will be seen that the act of 1874 follows the act of April 23, 1872, literally as to the ratio, number of districts, composition of districts, number of Representatives, and apportionment. (See Map XXXI.)

DISTRICTING AND APPORTIONMENT IN 1876

The two acts passed by the Sixteenth General Assembly in 1876 were entitled "An Act Apportioning the State of Iowa into Senatorial Districts"[1] and "An Act Apportioning the State into Representative Districts, and Declaring the Ratio of Representation."[2] They were approved on March 17.

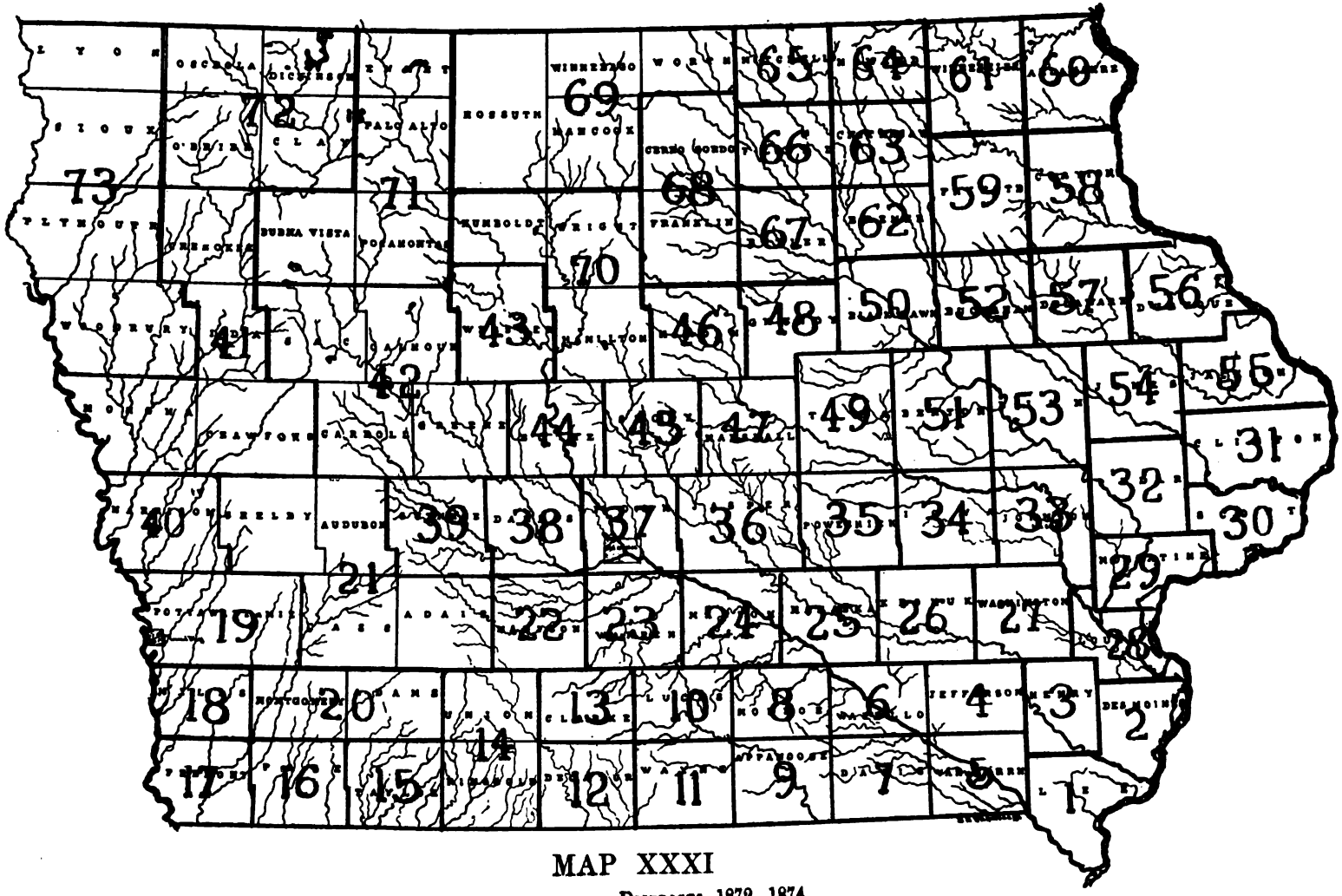
The ratio for the senatorial apportionment was "one senator to forty thousand inhabitants, or fraction thereof equal to one half, in each senatorial district." For the representative apportionment it was fixed at "one representative for every fourteen thousand one hundred inhabitants in each representative district."

The one act apportioned fifty Senators among fifty districts. (See Map XXXII.) The other apportioned one hundred Representatives among seventy-eight districts as follows:—To the 32d and 51st, three each; to the 1st, 2d, 3d, 6th, 22d, 26th, 27th, 31st, 34th, 37th, 38th, 46th, 47th, 49th, 50th, 54th, 63d, and 65th, two each; and to all others one each. (See Map XXXIII.)

[1] *Laws of Iowa*, 1876, p. 163.

[2] *Laws of Iowa*, 1876, p. 159.

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MAP XXXI

REPRESENTATIVE DISTRICTS 1872, 1874

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DISTRICTING AND APPORTIONMENT IN 1878

The districting and apportionment by the Seventeenth General Assembly in 1878 was solely for Representatives. The act, entitled "An Act Apportioning the State into Representative Districts and Declaring the Ratio of Representation," was approved on March 26.[1] It fixed the ratio at "one representative for every fourteen thousand one hundred inhabitants, in each representative district," and apportioned the one hundred Representatives among seventy-eight districts as follows:—To the 32d and 51st, three each; to the 1st, 2d, 3d, 6th, 22d, 26th, 27th, 31st, 34th, 37th, 38th, 46th, 47th, 49th, 50th, 54th, 63d, and 65th, two each; and to all others one each. In other words the act of 1878 was simply a reënactment of the provisions of the act of March 17, 1876, relative to representative districting and apportionment. (See Map XXXIII.)

DISTRICTING AND APPORTIONMENT IN 1880

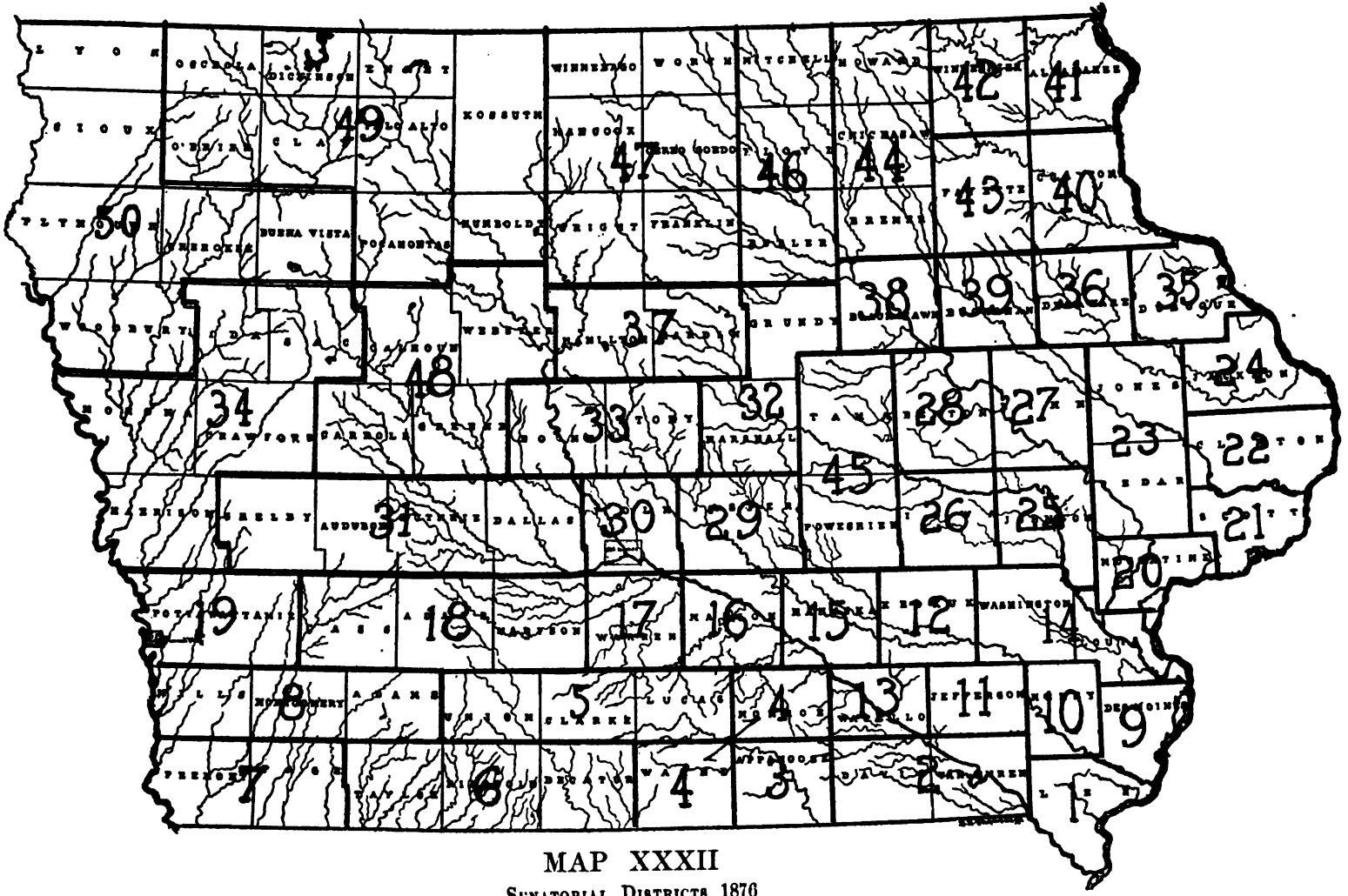
The one act passed by the Eighteenth General Assembly, entitled "An Act Apportioning the State into Representative Districts and Declaring the Ratio of Representation,"[2] was approved March 24. It made no changes in the ratio, districts, and apportionment of the acts of 1876 and 1878 which it followed closely in every detail. (See Map XXXIII.)

DISTRICTING AND APPORTIONMENT IN 1882

The two acts passed by the Nineteenth General Assembly in 1882 relative to districting and apportionment were

[1] *Laws of Iowa*, 1878, p. 144.
[2] *Laws of Iowa*, 1880, p. 109.

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MAP XXXII

SENATORIAL DISTRICTS 1876

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entitled "An Act Apportioning the State of Iowa into Senatorial Districts"[1] and "An Act Apportioning the State into Representative Districts and Declaring the Ratio of Representation."[2] They were approved on March 23 and April 1 respectively.

The ratio for the senatorial apportionment was "one senator for forty-six thousand inhabitants." For the representative apportionment it was fixed at "one representative for every sixteen thousand eight hundred and fifty inhabitants, in each representative district."

The one act apportioned the fifty Senators among fifty districts. (See Map XXXIV.) The other apportioned one hundred Representatives among eighty-eight districts, giving to the 1st, 2d, 6th, 22d, 33d, 35th, 38th, 39th, 48th, 50th, 52d, and 64th, two each, and to all others one each. (See Map XXXV.)

DISTRICTING AND APPORTIONMENT IN 1884

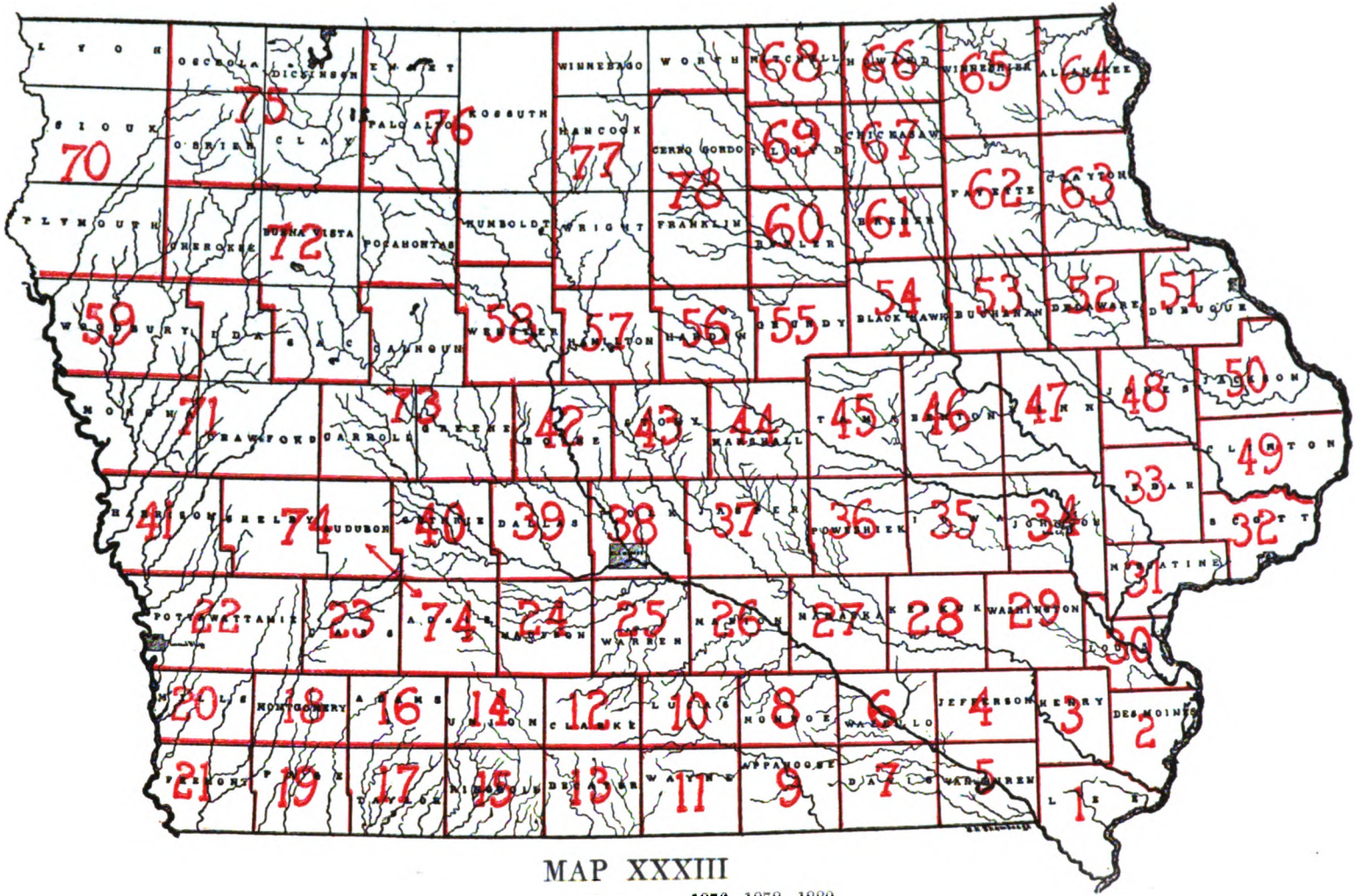
The one act passed by the Twentieth General Assembly in 1884, entitled "An Act to Apportion the State into Representative Districts and Declaring the Ratio of Representation," was approved April 7.[3] Its provisions relative to ratio, number of members, number and composition of districts, and apportionment are identical with those of the act of April 1, 1882. (See Map XXXV.)

[1] *Laws of Iowa*, 1882, p. 147.

[2] *Laws of Iowa*, 1882, p. 165.

[3] *Laws of Iowa*, 1884, p. 186.

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MAP XXXIII

REPRESENTATIVE DISTRICTS 1876, 1878, 1880

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DISTRICTING AND APPORTIONMENT IN 1886

The two acts relative to districting and apportionment passed by the Twenty-first General Assembly in 1886 were entitled "An Act Fixing the Number of Senators in the General Assembly, Apportioning them among the Several Counties According to the Number of Inhabitants in Each, and Dividing the State into Senatorial Districts"[1] and "An Act to Apportion the State into Representative Districts and Declaring the Ratio of Representation."[2] They were approved on April 10.

The ratio for senatorial apportionment was not declared; but the number of Senators was fixed at fifty and apportioned among fifty districts. (See Map XXXVI.)

For the representative apportionment the ratio was fixed at "one Representative for every twenty-four thousand inhabitants." On this basis one hundred Representatives were apportioned among ninety-four districts as follows:— To the 31st, 37th, 43d, 45th, 48th, and 69th, two each; and to all others one each. (See Map XXXVII.)

DISTRICTING AND APPORTIONMENT IN 1888

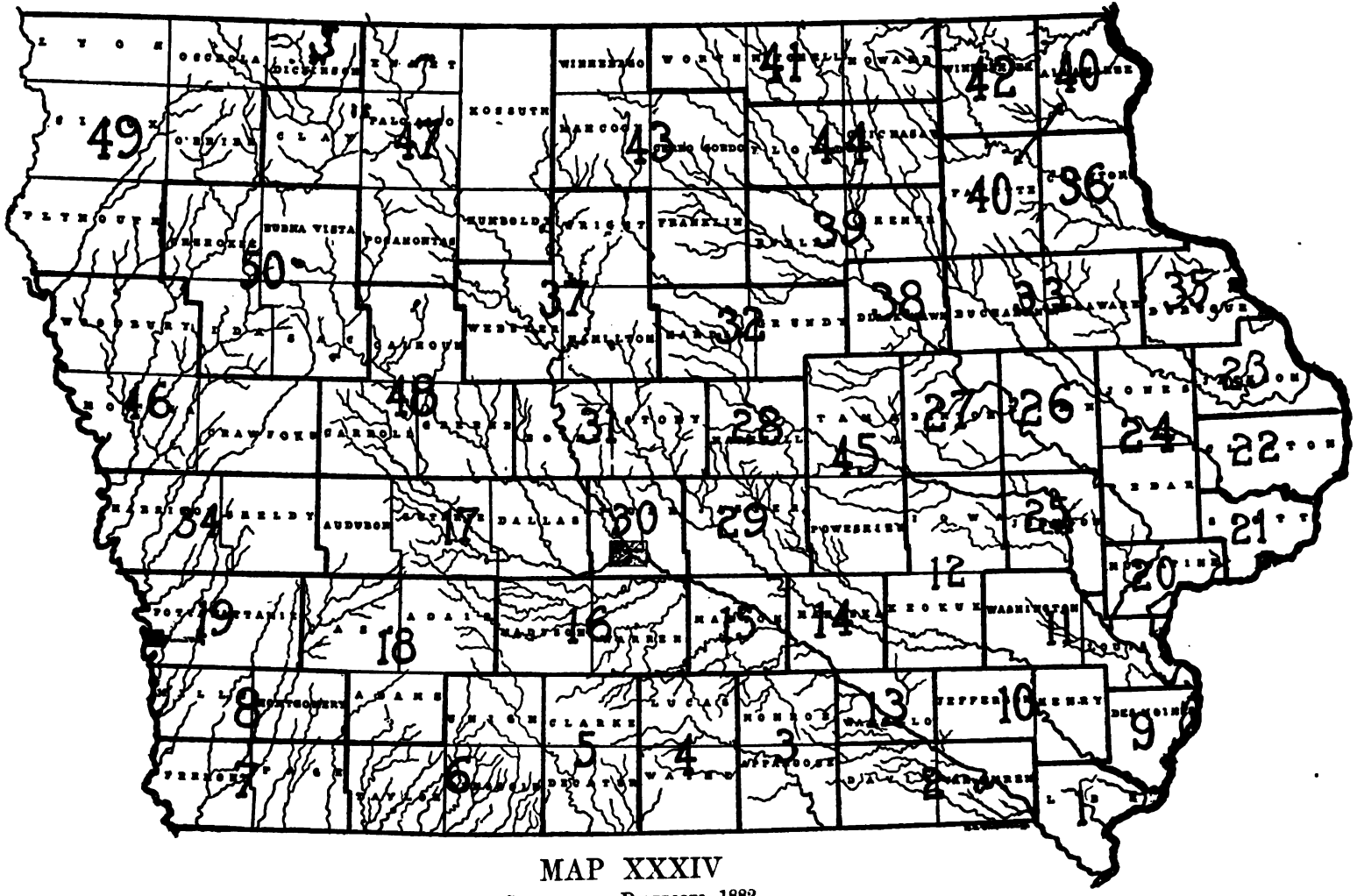
The one act passed by the Twenty-second General Assembly in 1888 entitled "An Act to Apportion the State into Representative Districts and Declaring the Ratio of Representation,"[3] was approved April 12. It was practically a reënactment of the act of April 10, 1886, on the same subject. The ratio, the number of Representatives, the num-

[1] *Laws of Iowa*, 1886, p. 177.

[2] *Laws of Iowa*, 1886, p. 172.

[3] *Laws of Iowa*, 1888, p. 227.

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MAP XXXIV

SENATORIAL DISTRICTS 1882

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ber and composition of districts, and the apportionment of the two acts are the same in every essential detail. (See Map XXXVII.)

DISTRICTING AND APPORTIONMENT IN 1890

The one act relative to districting and apportionment passed by the Twenty-third General Assembly in 1890 and entitled "An Act to Apportion the State into Representative Districts and declaring the ratio of the representation"[1] was approved May 1. It fixed the ratio of apportionment at "one representative from every eighteen thousand and five hundred inhabitants," established ninety-one districts, and apportioned the one hundred Representatives so as to give each district one, except the 1st, 21st, 31st, 37th, 43d, 45th, 48th, 58th, and 69th districts which were entitled to two each. (See Map XXXVIII.)

DISTRICTING AND APPORTIONMENT IN 1892

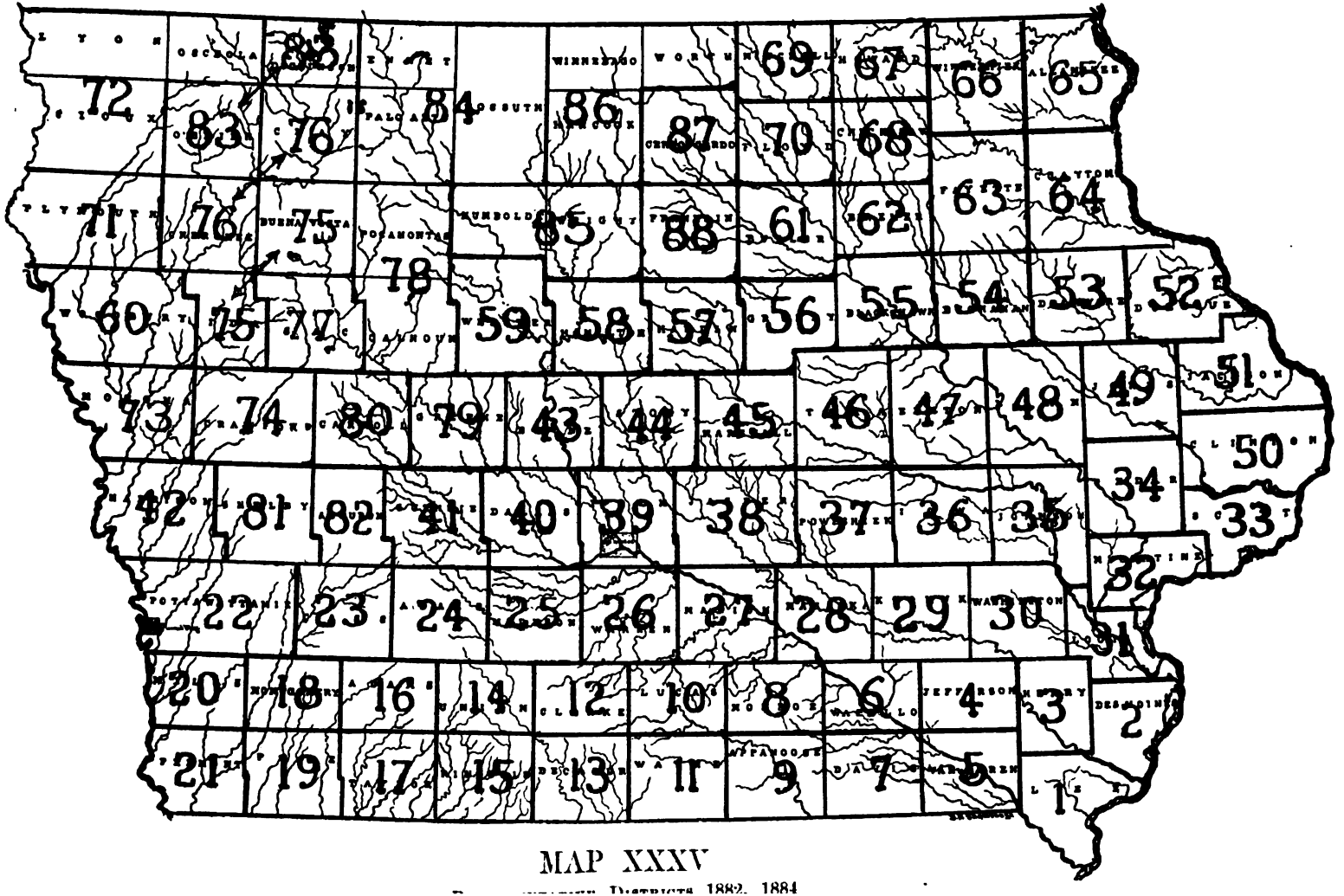
The two acts relative to districting and apportionment passed by the Twenty-fourth General Assembly in 1892 were entitled "An Act fixing the number of senators in the General Assembly apportioning them among the several counties according to the number of inhabitants in each, and dividing the state into senatorial districts"[2] and "An Act to apportion the state into representative districts and declaring the ratio of representation."[3] They were approved on April 6.

[1] *Laws of Iowa*, 1890, p. 170.

[2] *Laws of Iowa*, 1892, p. 105.

[3] *Laws of Iowa*, 1892, p. 107.

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MAP XXXV

Representative Districts 1882, 1884

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The act relative to senatorial districting and apportionment left undisturbed the districting and apportionment of the act of April 10, 1886 on the same subject. (See page 592 and Map XXXVI.) The other act of 1892 fixed the representative ratio at "one representative from every twenty-two thousand inhabitants" and apportioned the one hundred Representatives among ninety-one districts as follows:—To the 1st, 21st, 31st, 37th, 43d, 45th, 48th, 58th, and 69th, two each; and to all others one each. (See Map XXXIX.)

DISTRICTING AND APPORTIONMENT IN 1894

The act passed by the Twenty-fifth General Assembly in 1894, entitled "An Act to apportion the State into representative districts and declare the ratio of representation,"[1] was approved April 24. Its provisions as to ratio of representation, number of Representatives, number and composition of districts, and apportionment were precisely those of the act of April 6, 1892. (See Map XXXIX.)

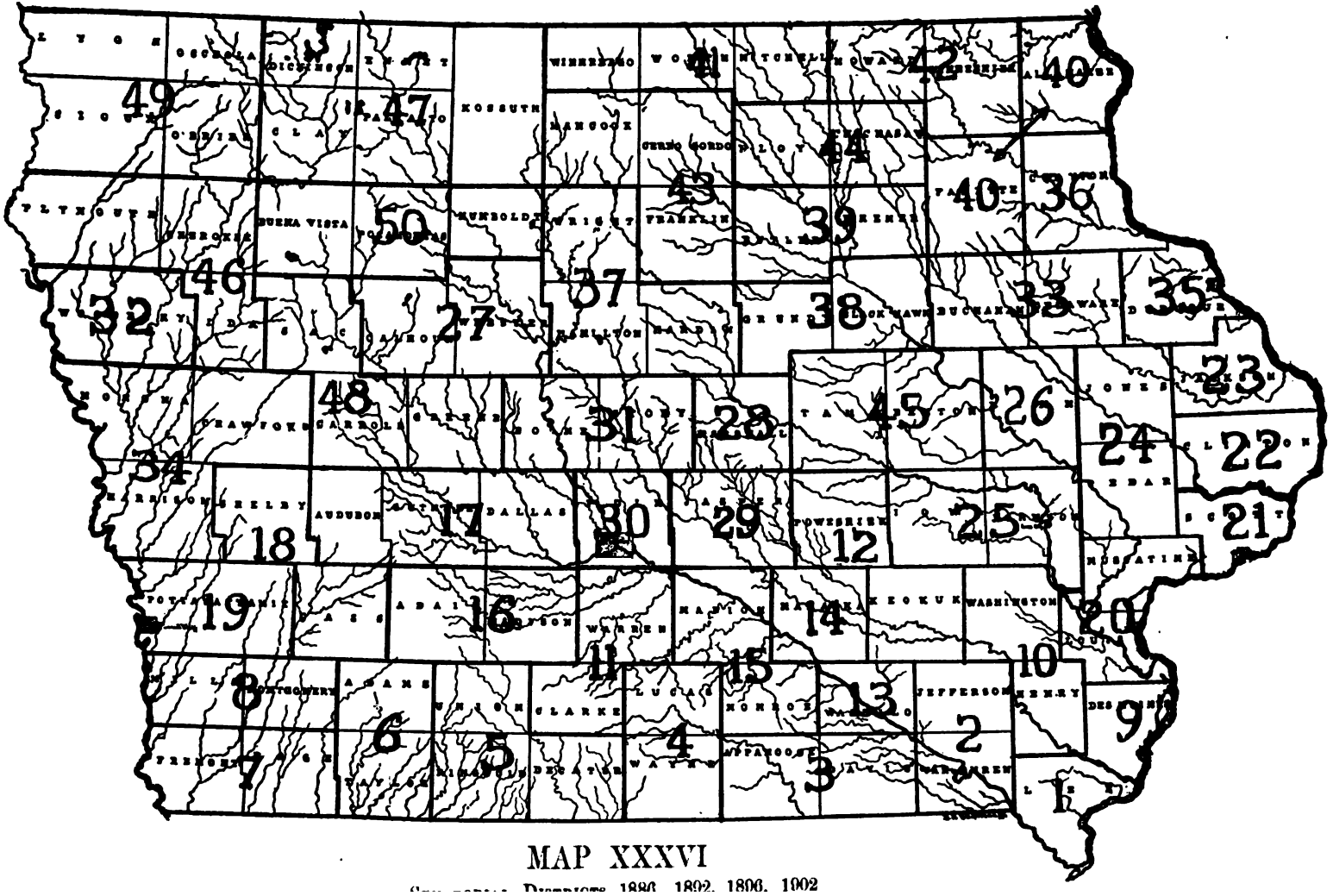
DISTRICTING AND APPORTIONMENT IN 1896

The two acts relative to districting and apportionment passed by the Twenty-sixth General Assembly in 1896 were entitled "An Act fixing the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the state into senatorial districts"[2] and "An Act to apportion the state into representative districts and de-

[1] *Laws of Iowa*, 1894, p. 107.

[2] *Laws of Iowa*, 1896, p. 128.

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MAP XXXVI

(Six Judicial Districts, 1886, 1892, 1896, 1902

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clare the ratio of representation."[1] May 2 is the date of their approval.

The one act preserved in all its details the senatorial districting and apportionment of the act of April 10, 1886, which had been reënacted by the Twenty-fourth General Assembly in 1892. (See Map XXXVI.) The other adopted the representative districting and apportionment of the acts of 1892 and 1894. (See Map XXXIX.)

DISTRICTING AND APPORTIONMENT IN 1898

The one act relative to districting and apportionment passed by the Twenty-seventh General Assembly in 1898, entitled "An Act to apportion the State into Representative Districts and declare the ratio of representation,"[2] was approved April 12. It made no changes in the representative districting and apportionment of 1892, 1894, and 1896. (See Map XXXIX.)

DISTRICTING AND APPORTIONMENT IN 1900

"An Act to apportion the state into representative districts and declare the ratio of representation,"[3] which was passed by the Twenty-eighth General Assembly and approved April 6, 1900, simply reënacted the legislation of 1892, 1894, 1896, and 1898. (See MapXXXIX.)

DISTRICTING AND APPORTIONMENT IN 1902

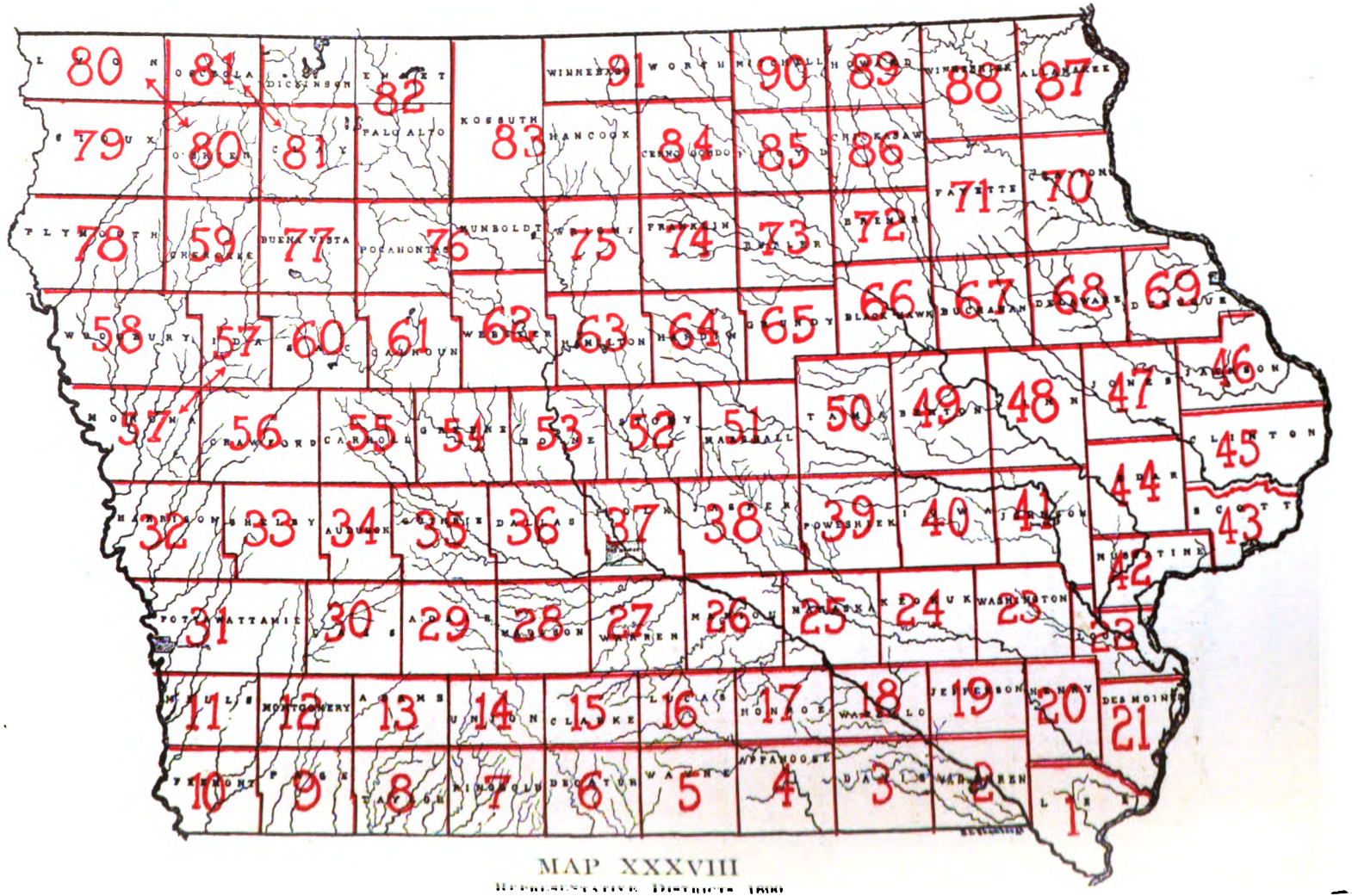
The two acts relative to districting and apportionment passed by the Twenty-ninth General Assembly in 1902, entitled "An Act fixing the number of senators in the Gen-

[1] *Laws of Iowa*, 1896, p. 130.
[2] *Laws of Iowa*, 1898, p. 104.
[3] *Laws of Iowa*, 1900, p. 125.

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MAP XXXVII

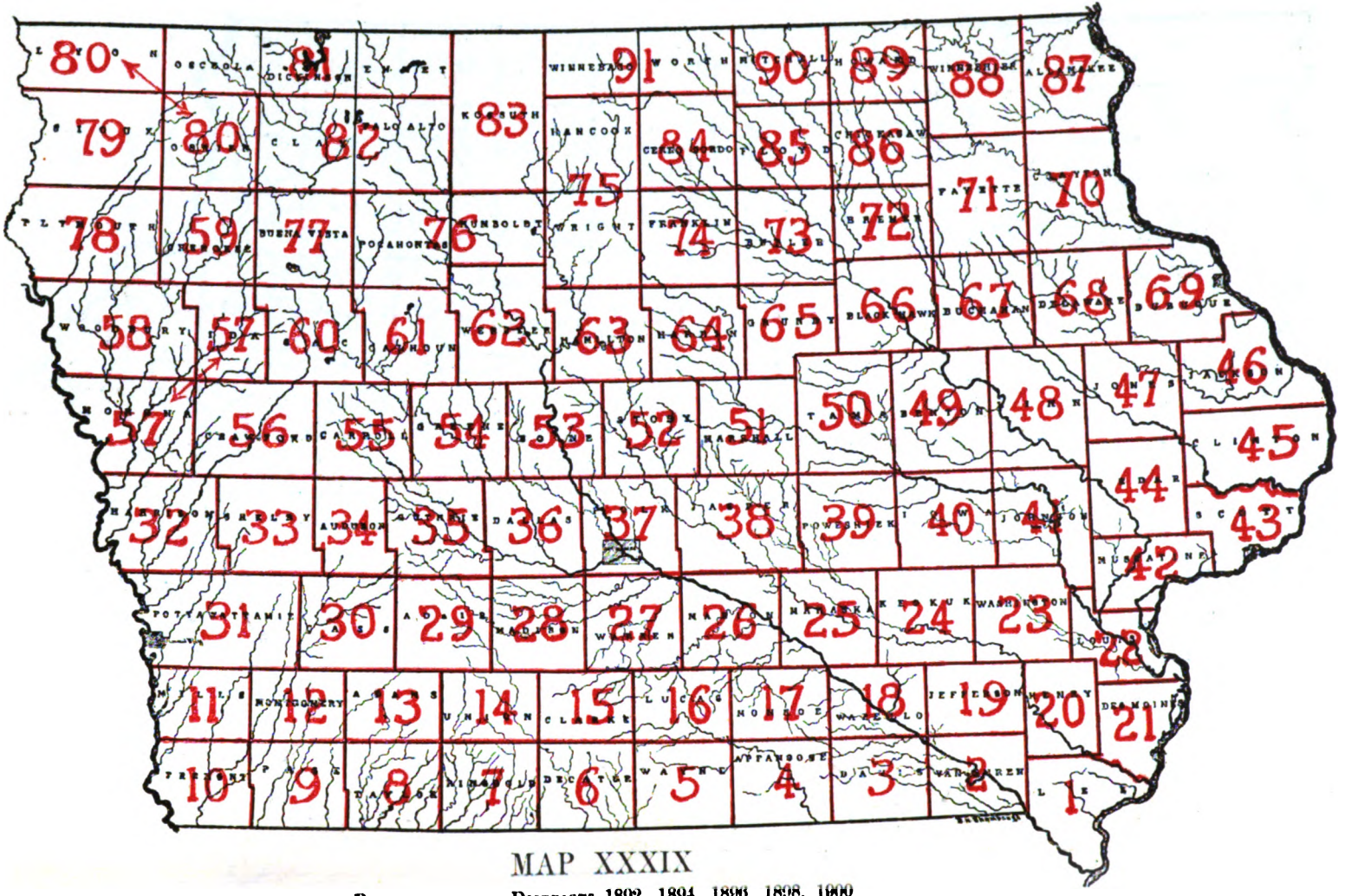
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MAP XXXVIII

REPRESENTATIVE DISTRICTS 1880

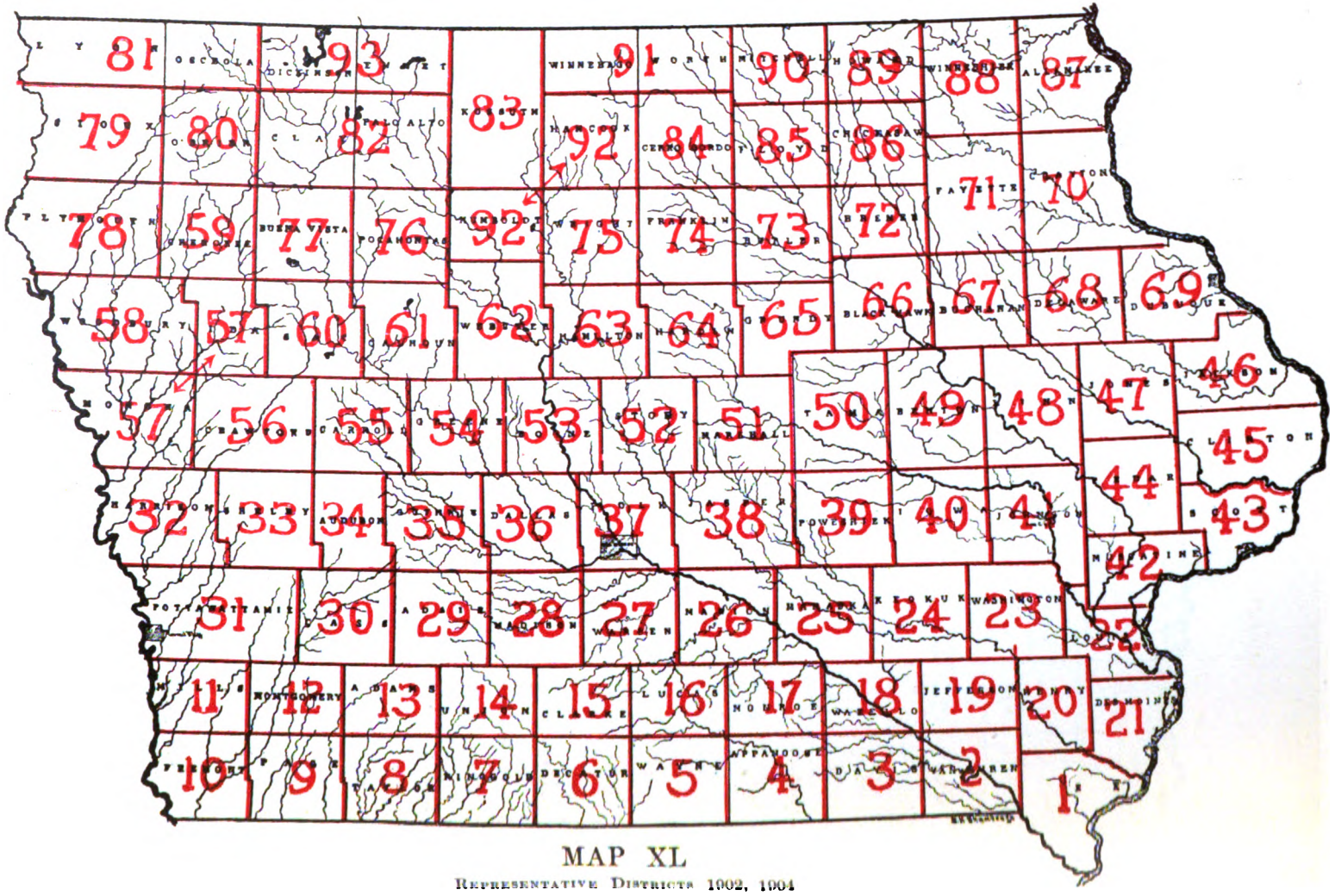
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MAP XXXIX

REPRESENTATIVE DISTRICTS 1892, 1894, 1896, 1898, 1900

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MAP XL

Representative Districts 1902, 1904

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eral Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state into senatorial districts"[1] and "An Act to apportion the state into representative districts and declare the ratio of representation,"[2] were approved on April 12.

The one act preserved the senatorial districting and apportionment of 1886, 1892, and 1896. (See Map XXXVI.) The other fixed the ratio of representative apportionment at "one representative from every thirty-six thousand (36,000) inhabitants," and apportioned the one hundred Representatives among ninety-three districts giving to each district one except the 31st, 37th, 43d, 45th, 48th, 58th, and 69th, which were allotted two each. (See Map XL.)

DISTRICTING AND APPORTIONMENT IN 1904

The act relative to districting and apportionment passed by the Thirtieth General Assembly in 1904, entitled "An Act to apportion the state into representative districts and declare the ratio of representation,"[3] fixed the ratio at "one representative from every twenty-seven thousand nine hundred (27,900) inhabitants." But the number of Representatives, the number and composition of districts and the apportionment among the districts were left the same as in the act of April 12, 1902. (See Map XL.)

BENJAMIN F. SHAMBAUGH

THE STATE UNIVERSITY OF IOWA
IOWA CITY

[1] *Laws of Iowa*, 1902, p. 168.
[2] *Laws of Iowa*, 1902, p. 170.
[3] *Laws of Iowa*, 1904, p. 163.

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SOME PUBLICATIONS

A Boy Again and Other Prose Poems. By WILLIAM MILLER BEARDSHEAR. Cedar Rapids, Iowa: Republican Printing Coming Company. 1904. Pp. 234, xxv.

This publication is a work of love upon the part of a half dozen of the choicest friends of Dr. Beardshear who desired "to have in hand in permanent form some of the revelations of himself which he gave in his essays and addresses." It is in every detail, even in the simplicity and elegance of the typography, a worthy memorial of him which will be precious to hosts of Iowans and of value to the world.

It is fitting that the memorial should consist, after the concise biographical sketch by Professor Loos, and the twenty-five pages of appreciations from Mr. S. H. M. Byers, Hamlin Garland, W. R. Boyd, Professors Cessna and Stanton, of typical selections from Dr. Beardshear's pen and addresses. It may justly be called "The Book of Revelations of Beardshear, the prose poet." He truly says, "We are all poets, only like the stars in glory differing in magnitude." He well illustrates another statement of his, "The poet is a philosopher by seership" (p. 60). He proves his title of prose poet by the very language he uses, and meets his own canon: "The poet is able to give emotions interwebbed of the soul, a language fit to their intrinsic worth."

His vocabulary demonstrates this in many original forms. He uses unexpected prefixes—"aside the window sill," "engathered," "enrippled," "beglistened," "begladdened," "besmall." This is also true of suffixes—"birthful," "entrustment," "enthusement," "mankinned," "clothure," "languageless," "everydayness." He uses the Anglo-Saxon and German liberty in compounding—"sea-girded," "world-formers," "all-things-are-yours spirit," "all-sided-

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ness," "century-full," "battle-armored." Almost with the freedom of an Elizabethan, according to the office of the word rather than according to its stereotyped form, he transmutes ordinary parts of speech—"happified," "essenced," "homed," "birthed," "empicturing," "I cans." He did not hesitate to coin words like "enskyment." Archaic forms, some of them living in dialectal speech, appear—"conflictions," "wonderment." The Norman arrangement of the adjectives is not uncommon—"a delight supreme," "knights of mettle true," "heroes bold." Occasionally there is almost a Shakespearean metaphor, like "melody in feathers," for a bird.

Feeding on the poets it is not wonderful that Dr. Beardshear was poetic. Not less than thirty-three poets are referred to or quoted in these pages. The names are about equally divided between the English and American, and they range from Shakespeare to Browning, from Bryant to Whitman and Sill; but five authors whose ideas pervade his works he especially lived by. He names them as the few who, "like Browning, Plato, Ruskin, Emerson and Shakespeare, foster one's maturest years and nurture his highest ideals." "Like the few friends out of a thousand in a full life they grow in affection and helpfulness with the swiftness of the hours and years."

Another great source of his thought is what he calls "our great text-book, the Bible." In another place he says, "the fire arm of nations is more closely allied with the almighty arm of God—the *Bible.*" "Bullets have become John Baptists to clear the way for Bibles and humanity." He was more at home with the prophets and was essentially one of them. He never ceases to be the preacher, and in every selection we find him using a text of holy, or other, scripture, for he had come to a view expressed in one of his epigrams, "Religion embraces all the tenets of culture, conserving the essences of creeds, expressive of the purposes and sympathies of Jesus Christ, and is the realizing and masterful outgrowth of the consummate beatitude of a good life."

The most powerful and pathetic of the selections is the one "A

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Boy Again Just for a Night," in which in heroic fashion he revealed the motherhood in the heart of a man when, as a child in his forties, in the night watch he communed in her last hours with his dying mother. Indeed, "mother and child shared the holy abandon of true affection." Out of the depths of his soul's experience to which nature, the birds, the drama and poetry are attuned, breathes the benediction of motherhood and comes the truth that "there is a motherhood in a man's heart as in woman's."

It is the personal touches to those who knew Dr. Beardshear which make the book inspiring. Personality was with him fundamental and poetic. He says, "The outcome of all individual effort, of all organization, should be the growth in the originalities of each personality." He showed what he named the "royal primacy of individual character." His greatness appeared in that with the emphasis he put upon individuality he did not run into eccentricities. His words reveal in part what kept him in balance. "Many mediocre men are spoiled as well as great ones by wanting to be something of themselves and alone. They fear to do anything that will strengthen the administration of another and build a neighbor's advantage. The principal question is our own fidelity in the common spheres of life."

Beardshear, the lover of solitude and naturally a mystic, was perhaps saved from closing in upon himself by his childhood christian training and by the illimitable reaches of nature and human activities in the West. He was thus led to say in one of his discourses, "the primal virtue is appreciation. Appreciation is simply placing a just value upon the body and its life, money and its mission, man and his destiny, life and its purposes. He must appreciate his own partialities."

His twenty-one years as a school man in Iowa, to which he sacrificed his life through overwork, rounded out his character. In his last address he laments, "We have made of the presidents of our colleges and universities business managers." Fortunate are we if he has taught us that the essential poet and the president of an agri-

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UNIVERSITY

cultural college are not an incongruity, and that in all great enterprises it is still necessary to have a poet in the original sense of the word, the maker, the creator.

With the many who knew him let me close by saying in his own words, "I have come in these recent years to feel that life is easier by reason of our friends in the good world. Our friends in Heaven, like the life of the Savior of men on earth, humanize our relations to that bright mystery world. We have no fear of injustice from those who know us best and love us most. Our shortcomings, our limitations, and soul constraints are tempered by the thought of trusted ones ministering in Heaven."

GEORGE E. MACLEAN

THE STATE UNIVERSITY OF IOWA
IOWA CITY

The Iowa Year Book of Agriculture. Issued by the Iowa Department of Agriculture. Edited by J. C. Simpson, Secretary of the State Board of Agriculture. Des Moines: Bernard Murphy, State Printer. 1904. Pp. 736. Portraits, plates.

The volume with the above title is the fourth *Year Book* issued by the Iowa Department of Agriculture as the Department is now constituted, the first having been issued in 1901 for the year 1900. The *Year Book*, however, is the lineal successor of the annual report of the Iowa Agricultural Society issued consecutively from 1855 to 1899 inclusive, save for the years 1861–62 when only one volume was issued. The Society, however, held its first fair in 1854, a history of which was published in the annual report for 1874. The forty-eight volumes so far issued by Iowa for the benefit of the agricultural and live stock interests contain in a way the documentary history of rural industrial effort in Iowa for the past half century or practically since the founding of the Commonwealth.

The volume at hand is made up of twelve parts. Part I, or the first hundred pages, is devoted to a report of the proceedings of the State Farmers' Institute and Agricultural Convention held at Des

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Moines in December, 1903, with a synopsis of the board and committee meetings. Farmers' conventions in some form as county, district, or State meetings have been popular during the past decade. A cursory glance through the pages of the proceedings impresses the reader with the thought that the speeches and discussions possess both earnestness and virility. Part II, or the next sixty-four pages, contains the report of the Iowa Weather and Crop Service for 1903—in itself a valuable treatise on Iowa climatology. The report includes a lucid paper on the *Physiography of Iowa*, by Dr. Calvin as well as crop reports, climate discussions, and crop summaries. Part III, pages 165–182, contains an epitome of the proceedings of the Iowa Swine Breeders' Association, the meeting having been held June 16, 1903, at Des Moines. Part IV, pages 183–204, is made up of extracts from the Dairy Commissioner's report for 1903. Part V, pages 205–334, contains the proceedings of the twenty-seventh annual meeting of the State Dairy Association, held at Waterloo, November 18–20, 1903, and also the proceedings of the National Dairy Union held at the same time and place. Part VI, pages 335–476, is devoted to papers on live stock and agricultural topics. A large number of papers, mostly short ones, are given and something seems to be presented upon almost every phase of rural economy. This part also includes the proceedings of the Iowa State Drainage Convention which was held at Ames, January 15 and 16, 1904, when the Iowa Drainage Association was organized. The proceedings of this convention have been also published in pamphlet form.

Part VII, pages 477–519, is devoted to poultry topics. Farmers' Bulletin, No. 51, U. S. Department of Agriculture, on *Standard Varieties of Chickens*, along with other papers and excerpts taken from various sources and treating of related subjects, are here reprinted. Part VIII, pages 521–620, includes a selection of papers read before the various Farmers' Institutes held throughout the State. Seventy papers on practical rural topics written by practical people were selected from the hundreds read and which cover an interesting variety of topics. Part IX, pages 621–629, gives short

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descriptions of certain farm courses offered at the Iowa State College of Agriculture and Mechanic Arts. Part X, pages 631–658, contains a compilation of Iowa laws relating to farming and stock raising industries in Iowa. Part XI, pages 659–678, gives matter concerning the Iowa State Fair, its early history, etc. Part XII, pages 679–725, contains the reports of the secretaries of the various county and district agricultural societies of the State.

T. J. FITZPATRICK

THE STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY

The American City: a Problem in Democracy. By DELOS F. WILCOX, Ph. D. New York: The Macmillan Company. 1904. Pp. 423.

The book here under consideration is the seventeenth in that popular series in Economics, Politics, and Sociology known as *The Citizen's Library*, so ably edited by Professor Richard T. Ely of the University of Wisconsin. In *The American City* it is the author's desire to set forth what he considers the fundamental principles of the American city problem. The American city problem is a national problem in his opinion because: (1) democracy has suffered much from its contact with city conditions; (2) the city tends to impose its ethical and social ideals upon all, irrespective of residence; and (3) just "as the accumulation of enormous wealth in the hands of one man without a corresponding responsibility for its use with reference to social welfare is a positive menace to the general well-being, so the concentration of wealth in a single city, without a clear recognition on its part of its duty to the State, becomes dangerous to the public weal." The salvation of the city is a greater democracy. Cities should be thrown upon their own political responsibility; democracy in them should be perfected, and they will become the allies of the masses of the people.

The way in which the functions of city government are working themselves out are considered in the chapters on: *The Street; The Control of Public Utilities; Civic Education; The Control of Lei-*

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sure; Municipal Insurance; Civic Coöperation; Social Centers of Civic Life; Popular Responsibility; Official Responsibility; Municipal Home Rule; Municipal Revenues; Municipal Debt; and a *Program of Civic Effort.* Most of these problems were considered more or less in detail in the author's *The Study of City Government* which appeared some years ago. The wealth of municipal literature which has come into existence since that time has made it desirable to restate many of our municipal problems in the light of this recent data. The work is attractive and readable and is a welcome addition to the literature of Municipal Government.

FRANK EDWARD HORACK

THE STATE UNIVERSITY OF IOWA
IOWA CITY

Proceedings of the Iowa Park and Forestry Association. Third Annual Meeting. Des Moines, Iowa. December 7 and 8, 1903. Iowa City, Iowa: Published by the Association. 1904. Pp. xiii, 178. Portrait, plates.

This volume is the third annual issued by the Iowa Park and Forestry Association, an organization devoted to the promulgation of the doctrine of things beautiful as brought forth by natural or created parks and forests. Judged by this volume the association is in a flourishing condition, as the style, makeup, plates, and reading matter are all of a high order. The publishers have done their work in a creditable manner and the result is an attractive volume for which the reader will have nothing but praise.

The Annual Address by the President of the association, Professor T. H. Macbride, forcibly presents the plans and aspirations of the association. A few sentences from the address are here given: —"And surely we have to-night great encouragement, and our success—has it not been conspicuous in every way? What public improvement has ever met more cordial welcome at the hands of an appreciative public? Who is there who understands our efforts who does not bid us God speed? We have the unanimous support of the

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newspapers of our State. One enthusiastic friend declares our present endeavor 'the most important now before the people of Iowa.' The effort to care for trees, make our cities, our towns, our homes, wherever they are, clean and beautiful, and so sane and healthful and happy, is something that commends itself to every citizen in the mere statement of the case. Iowa is so fertile, its soils lend themselves so easily to the horticultural and arboricultural interests of men, that we may more speedily here than elsewhere transform to noble purpose the face of nature. The people have already tried it and are, therefore, the more ready to push forward.

"To feed the mind on that which is fair, and fill the hall of memory with imagery sweet, and pure, this is to live in sense profound! Such was the wisdom of Goethe; such must be our wisdom if we continue as a people. It is for reasons such as these that rural living has always possessed special charm for scholars and lovers of men in every nation and in every age."

The leading formal papers are: *Why is Tree-planting a Failure*, by Thomas H. Douglas; *The Chemistry of the Forest*, by Professor J. B. Weems; *Advancement in American Forestry*, by E. E. Faville; *Tree-planting on Our Northern Prairies*, by W. A. Burnap; *The Phenology of our Trees*, by Charlotte M. King; *Present Condition of Iowa Forests*, by L. H. Pammel; *The Economic Value of Our Iowa Birds*, also *Nesting Sites for Birds*, by J. T. Bailey; *Civic Improvement in a Prairie Town*, by Dr. F. L. Rogers; *The Architect and the Landscape Artist*, by O. H. Carpenter; *Greenhouse Plants for Park Purposes*, by J. T. D. Fulmer; *Starting a Lawn*, by Carleton R. Ball; *Ornamental Hedges*, by E. E. Little; *Railroad Parking*, by J. Sexton; *Parks for Small Cities and Villages*, by Frank H. Nutter; *The Township Parks*, by Sidney A. Foster; *The Improvement of School Grounds*, by R. C. Barrett; *A Systematic Study of Trees in Our Public Schools*, by Grace Troutner; *The Systematic Agitation of Improvement of Public Grounds*, by C. R. Scroggie; *Out Door Art and Morals*, by D. W. Wylie; *The Boy and the Tree*, by Henry Sabin; *The Trees*, by Dr. A. B. Storms;

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and *Philip M. Crapo*, an appreciation, by Edwin M. MacMinn, the portrait of the late Mr. Crapo being the frontispiece to the volume.

T. J. FITZPATRICK

THE STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY

How George Rogers Clark Won the Northwest, and Other Essays in Western History. By REUBEN GOLD THWAITES. Chicago: A. C. McClurg & Co. 1903. Pp. xx, 378.

This little volume is a collection of essays upon incidents in the early history of the Middle West. That they are entertaining and full of interest needs but the name of the author to suggest. The volume has unity in the relation which the several narratives bear to a particular section of country and a special time of portrayal; and each essay keeps this idea distinctly before the mind of the reader.

Of the essays the most ambitious, and perhaps the most noteworthy in some respects, is the one which gives the title to the volume. Here the relation of the work done by the Virginia and Kentucky settlers to the work of Jay and Franklin in negotiating the articles of the treaty closing the War of Independence is clearly shown. Our possession of the Northwest Territory was without doubt the strongest factor in the negotiations and probably decided the question as to whom that territory should belong.

One other essay of great interest, and bearing with it a sympathetic touch which perhaps no one else could give as well as Mr. Thwaites, is the story of the Draper manuscripts and of Mr. Draper the collector. The patient, persisting toil of such a life may well excuse, nay rather justify, the failure to put this material into synthetic form. His is a good example to set before the younger generation of searchers after historical material.

The volume, beyond the interest which it carries for historical students and general readers, presents exactly the kind of matter which is most helpful to the young reader. The truthfully told stories of the privations and sufferings of the early explorers and

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settlers and the greatness of their work for the future of the country for which they toiled and suffered are narrated with that sympathy which is the true inspiration to American patriotism.

H. G. PLUM

THE STATE UNIVERSITY OF IOWA
IOWA CITY

Proceedings of the Iowa Academy of Sciences for 1903. Volume XI. Edited by the Secretary. Published by the State. Des Moines: B. Murphy, State Printer. 1904. Pp. xi, 282. Portrait, plates.

This volume contains the proceedings of the Eighteenth Annual Session of the Iowa Academy of Sciences held at Iowa City, April 14 and 15, 1904, along with the various papers presented at the meeting. The volume compares favorably with its predecessors and shows a considerable increase in size over the volume issued for 1902. The text is generally well edited and the illustrations are very good. By this book our knowledge is increased or summarized in a number of lines of research.

The presidential address is on *Two Centuries of North American Lichenology*, by Bruce Fink. The address is accompanied by a portrait of the late Edward Tuckerman, the one-time leader of American Lichenologists. Other papers are: *The Animal Cell in the Light of Recent Work*, by Gilbert L. Houser; *The Importance of Vital Statistics in the Study of Social Science*, by Gershom H. Hill; *A Geological Situation in the Lava Flow with Reference to the Vegetation*, by Harriet M. Clearman; *The Furcula in the Collembola*, by J. E. Guthrie; *Stereoscopic Projection in Natural Colors*, by C. F. Lorenz; *A Contribution to our Knowledge of the Development of Prunus Americana*, by R. Earle Buchanan; *The So-called Dorsotrachealis Branch of the Seventh Cranial Nerve in Amphiuma*, by H. W. Norris; *The Vagus and Anterior Spinal Nerves in Amphiuma*, by H. W. Norris; *A Buried Peat Bed in Dodge Township, Union County, Iowa*, by T. E. Savage; *Some Bacteriological Exam-*

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inations of Iowa Waters, by L. H. Pammel, R. E. Buchanan, and Edna L. King; *Some Features in the Analysis of Dolomite Rock*, by Nicholas Knight; *The Sioux City Water Supply, III*, by Alfred N. Cook; *A New Deposit of Fuller's Earth*, by Alfred N. Cook; *The Lichens of "The Ledges," Boone County, Iowa*, by Katy A. Miller; *A Method for the Determination of Chloric Acid*, by W. S. Hendrixson; *The Action of Chloric Acid on Metals*, by W. S. Hendrixson; *Periodical Literature in Iowa on the Subject of Chemistry*, by W. S. Hendrixson; *Regeneration in the Crayfish*, by John J. Lambert; *A Chemical Study of Rhus glabra*, by A. W. Martin; *Notes on the Position of the Individuals in a Group of Nileus vigilans Found at Elgin, Iowa*, by G. E. Finch; *The Action of Sodium Thiosulphate Solutions on Certain Silver Salts*, by W. M. Barr; *New Method of Cohesion of Water and Adhesion of Mercury Apparatus*, by Edwin Morrison; *A Convenient Voltaic Cell*, by L. Begeman; *Flora of Emmet County, Iowa*, by R. I. Cratty; *Remarkable Occurrence of Aurichalcite*, by Charles R. Keyes; *Certain Basin Features of the High Plateau Region of Southwestern United States*, by Charles R. Keyes; *Note on the Carboniferous Faunas of Mississippi Valley in the Rocky Mountain Region*, by Charles R. Keyes; *A Preliminary List of the Flowering Plants of Madison County*, by H. A. Mueller. There is also in the book an appreciation of the late Ferdinand Reppert, by Professor B. Shimek.

T. J. FITZPATRICK

THE STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY

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NOTES AND COMMENT

An index for the six volumes of the *Annals of Iowa* (3d series) is being prepared by Miss Alice M. Steele of the Historical Department of Iowa.

The formal addresses delivered on June 10, 1904, at the Semi-centennial of the Founding of Grinnell (Iowa), have recently been published in a sixty-four page pamphlet.

An Iowa History Club has been organized at the State University of Iowa by a group of students who are engaged in original research along the lines of Iowa history and politics.

The Boundaries of Colorado is the title of an eight page article by Professor Frederic L. Paxson in Volume II, No. 2, of *The University of Colorado Studies* which was issued in July, 1904.

Dean Charles Noble Gregory of the Law College of the State University of Iowa gave two of the formal addresses at the Congress of Arts and Sciences held at St. Louis during the past summer. The subject of the address delivered on September 22 was, *Some Problems in International Law*. On October 6, he spoke on *Civil Service in Municipalities*.

On September 28 and 29, 1904, there was observed at Algona, Iowa, the "Fiftieth Anniversary of the First Permanent White Settlement in Kossuth County." The program of the celebration covered two days and included the ceremonies of laying the corner stone of the new public library building. A full account of the exercises, including the papers and addresses of the occasion, is published in the "Semi-Centennial Anniversary Number" of the *Upper Des Moines Republican* (Algona) September 28 and October 5, 1904.

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During September Professor Benj. F. Shambaugh served as Juror in History on the International Jury at the Universal Exposition, St. Louis.

The foundations have been laid of the Historical and Memorial Building at Des Moines, for which the Thirtieth General Assembly of Iowa appropriated $200,000.

At a meeting of the Historical Society of Linn County (Iowa), which was held on September 22, 1904, Dr. E. R. Burkhalter read a paper on *Senator Lewis Fields Linn* for whom Linn County was named. The paper will be published by the Historical Society of Linn County.

In accordance with the recommendations of the special jury on history and the general jury in the Department of Anthropology at the Universal Exposition at St. Louis, Hon. Charles Aldrich of Des Moines, Iowa, has been awarded a gold medal in recognition of his services to Iowa history.

Little, Brown & Company have recently issued *A Short Constitutional History of the United States*, by Dr. Francis Newton Thorpe. The volume is based upon the material used by the author in his larger works—*A Constitutional History of the American People*, and *The Constitutional History of the United States*.

A new edition of Albert M. Lea's book entitled *Notes on Wisconsin Territory With a Map* is to be issued by the "Ioway Club" (Cedar Rapids, Iowa). The work will contain a reprint of the *Notes on Wisconsin Territory*, with reference to the Iowa District; a biographical sketch by Miss Lida L. Lea, daughter of Lieutenant Albert M. Lea; official reports made to the Government by Lieut. Lea; and public addresses and extracts from his personal letters. It will be illustrated with an engraved portrait; and the maps accompanying his *Notes* and his report relative to the boundary dispute will be reproduced. The edition will be printed on hand-made paper, and its circulation will be limited to actual subscribers.

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At the meeting of the Congress of Arts and Sciences at the Universal Exposition, St. Louis, Judge Emlin McClain read a paper on *The History of Law.*

The Iowa Society of the Colonial Dames of America have again offered a prize of fifty dollars for the best essay on some subject in Iowa history. Last year the number of essays submitted in competition was larger than ever before. The quality of the essays has also increased with the increase in the amount of the prize offered.

At the meeting of the American Historical Society for 1904, which is to be held in Chicago during the holidays, there will be a conference or round table of local and State historical societies. The program committee has made this conference a part of the program of the American Historical Society.

Professor Walter L. Fleming of West Virginia University is preparing, for publication by The Arthur H. Clark Company of Cleveland, a collection of documents relating to Reconstruction. Professor Fleming, in connection with an extended study of Reconstruction, has for several years been collecting contemporaneous data for that period. This collection will not only include the official documents, political platforms, and speeches, thus superseding McPherson's documentary *History of Reconstruction*, but will also draw on many rare private sources for original, hitherto unpublished matter regarding the Ku Klux Klan, the White Camelia, the Union League, churches and schools during Reconstruction, the Freedmen's Bureau, etc. State laws and decisions of State courts will also be included, together with selections illustrating social and economic conditions during the period covered. Professor Fleming is still unearthing material, and has discovered many unique documents owned by private individuals; he would be glad to hear from persons having in their possession material relating to this period, and may be addressed at Morgantown, West Virginia.

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The first volume of *Proceedings* of the Sioux City Academy of Science and Letters contains, besides lists of officers, reports, biographical sketches, etc., the following papers: (1) *Ventilation in the Public Schools of Sioux City*, by W. H. Clark; (2) *The Smoking Bluffs of the Missouri River Region*, by H. C. Powers; (3) *The Most Hopeful Method of Dealing with the Criminal*, by F. E. Haynes; (4) *The Equipment of the Lewis and Clark Expedition*, by H. C. Powers; (5) *History of the Monona County Mormons*, by C. R. Marks; (6) *The Outlook for Constitutional Progress in the United States*, by J. H. Quick; (7) *Geology of Dakota County, Nebraska, with Special References to the Lignite Deposits*, by Ernest F. Burchard; and (8) *Bibliography of Sioux City Authors*, by F. H. Garver.

The titles of the essays submitted in the Colonial Dames' prize essay contest for 1904 in Iowa history were: (1) *The Common School in Early Iowa;* (2) *Lyceums in their Relation to the Early Social Life of Iowa;* (3) *The Underground Railroad in Iowa;* (4) *Iowa City, the Territorial Capital of Iowa;* (5) *Julius A. Reed;* (6) *Early Constitutions of Iowa;* (7) *The Territorial Roads and Highways of Iowa;* (8) *Beginnings of Dubuque, the Pioneer City of Iowa;* (9) *The Indian Land Cessions in Iowa;* (10) *The Relation of the Federal Government to the Indians of Iowa;* (11) *James Wilson Grimes;* (12) *The Negro and Slavery in Early Iowa;* and (13) *Steps in the Making of Iowa.* The essay entitled, *The Territorial Roads and Highways of Iowa*, written by Mr. Jacob Van der Zee of the State University of Iowa was awarded the prize. Copies of all of the papers have been preserved in the Library of the State Historical Society.

A *List of Books by Iowa Authors* has recently been published by the Iowa Library Commission. It was compiled by Anna Belknap Howe (Marshalltown, Iowa) and contains the titles and authors of the books collected by the Auxiliary Committee of the Iowa Commission of the Louisiana Purchase Exposition for the exhibit of

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books by Iowa authors in the Iowa State Building at St. Louis. The task of compiling such a list is one of peculiar difficulties. Mrs. Howe is to be congratulated upon the success of this initial effort. The publication of the *List* will have the effect not only of stimulating a wholesome provincial pride, but of guiding public libraries in making collections of the books of Iowa authors. That the importance of such a publication to public libraries has been appreciated is evidenced by the interest which Miss Alice S. Tyler, Secretary of the Iowa Library Commission, has taken in its publication.

THE STATE HISTORICAL SOCIETY OF IOWA

Volume VI of the *Messages and Proclamations of the Governors of Iowa* has recently been issued. It contains 429 pages and includes the messages and proclamations of Governor William Larrabee (1886–1890) and Governor Horace Boies (1890–1894). The seventh volume of the series which is in press will contain the messages and proclamations of Governor Frank D. Jackson, Governor Francis M. Drake, and Governor Leslie M. Shaw.

Bulletin of Information No. 3, which contains *Suggestions to Public Libraries and Local Historical Societies Relative to Collecting and Preserving Materials of Local History*, has been issued to the members of the Society.

The Society was represented by Professor W. C. Wilcox and Dr. F. E. Horack at the Conference of Historical Societies of the Mississippi Valley which was held at St. Louis on September 18 and 19, 1904, upon the call of the Missouri Historical Society.

Mr. Jacob Van der Zee continues his work as general assistant in the rooms of the Society.

At the annual meeting of the Old Settlers Association of Southwestern Iowa, held at Villisca on September 1, 1904, the Society was represented by Professor Benj. F. Shambaugh, who delivered an address on *The Pioneers*.

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The use of a large store room in the basement of the Hall of Liberal Arts has been granted to the Society by the Board of Regents of the State University of Iowa.

Mr. Frank W. Bicknell, at one time a member of the Board of Curators of the State Historical Society of Iowa, has recently become the editor and manager of *The Mail and Times*, a weekly published at Des Moines, Iowa. Under his able direction *The Mail and Times* has already been very greatly improved.

At the regular monthly meeting of the Board of Curators in October provision was made for the employment of Mr. T. J. Fitzpatrick as Collector for the Society. Mr. Fitzpatrick is a graduate of the State University of Iowa and is an experienced collector of books. He has, perhaps, the largest private collection of Iowana in the State of Iowa.

Dr. Duren J. H. Ward, who is engaged in making an anthropological survey of parts of Iowa for the Society, has been invited to to serve as the Iowa representative on a committee of the Archæological Institute of America, which has under advisement the better preservation of the ruins of American antiquity.

Since July 1, 1904, the following have been elected to membership: Geo. W. Egan, Logan, Iowa; Jacob Ruedy, Homestead, Iowa; Margaret M. Brown, Chariton, Iowa; Alice S. Tyler, Des Moines, Iowa; Duren J. H. Ward, Iowa City, Iowa; Paul S. Peirce, Ames, Iowa; Geo. E. MacLean, Iowa City, Iowa.

The following organizations have been enrolled as Auxiliary Members since July 1, 1904: The Jackson County Historical Society; the Maquoketa Valley Pioneer and Old Settlers Society; the Old Settlers Association of Grinnell; and the Decatur Couny Historical Society.

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THE DECATUR COUNTY HISTORICAL SOCIETY

On September 14, 1901, largely through the efforts of Mr. Fred'k M. Smith, the charter members of the Decatur County Historical Society met at the Herald Publishing House, Lamoni, Iowa, to adopt a constitution adapted to the needs of the Society and to effect a permanent organization. The officers of the Society elected to act until their successors are chosen, were: President, Fred'k M. Smith; Secretaries, E. L. Kelley, Jr., and (Mrs.) Carrie Judd Briggs; Curators, I. A. Smith and R. C. Kelley.

Papers have been solicited from several of the oldest settlers of the county, both from Davis City, near which Mr. Scott lived and held a slave during the early years of the State, and from Garden Grove where a company of the followers of Brigham Young stopped for over a year before resuming their journey to Utah. But as yet neither of these papers have been completed and read before the Society.

An assessment of 25 cents per capita on the members, which was levied at the first meeting of the Society, has been sufficient to meet the expenses up to the present time. Subsequent meetings have been held from time to time to elect new members and to make provisions for obtaining periodicals and materials for the Society. These meetings have been held at the Herald Publishing House in Lamoni, where a room has been obtained for the documents and collections of the organization. There are about 130 volumes in the library at present.

THE CONSTITUTION AND BY-LAWS OF THE SOCIETY

Article 1. This society shall be known as the Decatur County Historical Society.

Article 2. The object of this organization shall be the collection and preservation of materials of historical interest pertaining to the development of this State and more particularly of Decatur County.

Article 3. Membership shall consist of the signers of this constitution and such other persons as the Society shall deem worthy of admission. Any member who, in the judgment of the Society, becomes unworthy of retaining his member-

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ship, may be expelled; and a member so expelled shall forfeit his interests in the properties of the Society.

Article 4. The officers shall consist of President, Secretary, Assistant Secretary, and two Curators, and of such other officers as subsequent developments demand.

Article 5. Meetings shall be held at the call of the President; each member is to receive due notice.

Article 6. No admission fee or annual dues shall be required, but all expenses shall be met by assessment or donation.

Article 7. Amendments to this constitution may be made at any meeting of this Society previous notice having been given of proposed changes.

BY-LAWS

Article 1. Reed's rules shall govern in all meetings of the Society.

Article 2. Until it becomes necessary to appoint a treasurer, the secretary shall act as such.

Article 3. Amendments to the by-laws may be made in like manner to that prescribed for amending the constitution.

THE CONFERENCE OF HISTORICAL SOCIETIES AT ST. LOUIS

Upon the call of the Missouri Historical Society a conference of the historical societies of the Mississippi Valley was held at St. Louis on September 16, 1904. An informal meeting of the representatives of these societies was held at the Missouri State Building, World's Fair grounds, at eleven o'clock on the day of the conference. The formal meeting was called to order at the Cabildo (Louisiana State Building) at eight o'clock P. M. The presiding officer of the conference was Judge Walter B. Douglas of the Missouri Historical Society. The following were present at the conference: Judge Walter B. Douglas of the Missouri Historical Society; Professor Alceé Fortier, President of the Louisiana Historical Society; Mr. Jas. S. Zacharie, Vice-President of the Louisiana Historical Society; Dr. F. E. Horack, Secretary of the State Historical Society of Iowa; Professor W. C. Wilcox, member of the Board of Curators of the State Historical Society of Iowa; Dr. W. J. McGee, Chief of the Department of Anthropology, World's Fair; Professor F. A. Sampson, Secretary of the State Historical Society of Missouri;

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Mr. Warren Upham of the Minnesota Historical Society; Mr. Reuben Gold Thwaites of the Wisconsin Historical Society; Miss Alice C. Fletcher of Harvard University; Professor G. G. McCurdy of Yale University; Mrs. Zelia Nuttall of Mexico; Mr. Thos. B. Thompson of New Orleans; Dr. Geo. B. Gordon of Philadelphia Free Museum; Dr. A. Hrdlicka, U. S. National Museum; Hon. L. Bashford Prince of New Mexico; Mr. C. T. Soniat of New Orleans; Mr. Pierre Chouteau of St. Louis; Mr. William Beer of the Howard Memorial Library, New Orleans; Messrs. Geo. M. Block and C. A. Peterson and Misses May Simonds, Katherine T. Moody and Mary Louise Dalton of the Missouri Historical Society.

The following Resolution was adopted:

WHEREAS, Representatives of the historical societies of the states and territories formed out of the Louisiana Purchase and the neighboring states and territories, have this day assembled in the Louisiana State Building at the World's Fair, are of the opinion that in order to preserve the history of these states and territories and its historical records and monuments, a closer union of all the societies should be formed;

Be It Resolved, That a federation of the historical societies of the states and territories of the Louisiana Purchase and the neighboring states and territories, consisting of one representative of each society be formed, who shall meet from time to time and foster the objects as herein set forth, by the publication of historical documents, the encouragement of historical research, and the urging upon their respective legislatures such legislation as may be necessary to preserve the history of the early settlements, the history of the Indians, all historical monuments and names, and the record of the country as it develops.

During the course of these meetings Professor Fortier and Mr. Zacharie told of the discovery of some fifty odd volumes of documents in Paris relating to the old Province of Louisiana, and of documents in Spain and Cuba relating to the Louisiana Purchase. A function for the proposed federation of historical societies was, therefore, apparent in promoting the publication of documents relating especially to the Mississippi Valley.

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Professor Fortier, Judge Douglas, and Mr. Thwaites constitute a committee of three to organize the association of societies, and arranged for another meeting.

The formal program of the conference consisted of a paper by Mr. Warren Upham, of the Minnesota Historical Society, on *The Progress of the Discovery of the Mississippi River;* an address by Professor Alcée Fortier, of the Louisiana Historical Society, on *The Expedition of Governor Galvez Against the British;* and an address by Mr. Reuben Gold Thwaites, of the Wisconsin Historical Society, on *The Duties and Purposes of Historical Societies.* On the Sunday following the conference a trip to the Cahokia Mounds was made by the members of the conference under the guidance of Judge W. B. Douglas and Dr. C. A. Peterson, both of the Missouri Historical Society.

CONTRIBUTORS

LOUIS PELZER, Principal of the High School, Colfax, Iowa. Born near Atlantic, Iowa, 1879. Graduate of the Iowa State Normal School. Principal of the Public Schools at Marne, Iowa, 1902–1903. Assistant Principal of the High School at Griswold, Iowa, 1901–1902. Student at the State University of Iowa, 1903–1904.

FRANK EDWARD HORACK, Instructor in the State University of Iowa, and Secretary of the State Historical Society of Iowa. (See THE IOWA JOURNAL OF HISTORY AND POLITICS for April, 1903, p. 272.)

BENJAMIN FRANKLIN SHAMBAUGH, Professor of Political Science in the State University of Iowa. (See THE IOWA JOURNAL OF HISTORY AND POLITICS for April, 1903, p. 272.)

THE VERSITY OF AL FORNIA

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AN INDEX

TO THE

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VOLUME TWO

1904

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INDEX TO ARTICLES

NOTE—The names of contributors of articles to the Iowa Journal of History and Politics are printed in SMALL CAPITALS. The titles of books, articles, and papers referred to are printed in *italics*.

Abigail Adams, chapter of Daughters of American Revolution, work of, 104

Abolitionists, northern, declaration of, "no Union with Slaveholders," by,

Academy of Science, the Davenport, an account of, 352; collections of, 353; coöperation of, with public schools, 353; work of, 353; workers in, of former years, 354; 366

Academy of Science (Iowa), bibliography of publications of, for 1898–1899, 400

Ackermann, G., member of the committee to select a home for the Inspirationists in America, 173

Adams, John, 25, 26,

Adams, John Q., 329

Adams, Samuel, 13, 25

Adams, Rev., chaplain of Colorado constitutional convention, 258

Address to the people of Colorado by the constitutional convention, 270

Adjutant General (Iowa), bibliography of publications of, for 1898–1899, 401

Administration, a branch of Political Science, 155, 157

Adventists, church for American and Danish, in Shelby Co., Iowa, 229; Republicans among, 94,

Agricultural College (Iowa), State, bibliography of publications of, 1898–1899, 419

Agricultural Exchange, the Shelby Co., Iowa, good roads urged by, 246

Agriculture, Iowa Society of, bibliography of publications of, for 1898–1899, 401

Agriculture, The National University of, by JESSE MACY, 394

Agriculture, a national university of, 394; real science of, 397; ideal university of, 398

Agriculture, U. S. Department of, 394; extent of work of, not generally known, 394; the greatest scientific institution of the country, 394; income exceeds that of the six rich universities, 394; germ of, in U. S. land grant of 1862 to States, 394; James Wilson, first Secretary of, 395; organization of, by James Wilson, 395; trained men needed by, 395; number of experts in, 395; difficulty of holding experts, 396; experiment by, in cultivation of tobacco, 396; experiment stations of, 396; work of, can be done only by a fully equipped national institution, 397; usefulness of, 397

Aicher (F. X.) group of mounds, location and description of, 57

Aicher (Henry) group of mounds, location and description of, 59

Albright, Mrs. Rachael (Fort Madison, Iowa), granddaughter of Betsy Ross, 114

Aldrich, Charles, aid of, in identifying grave of revolutionary soldier, 103

Allison, Senator, Iowa trust and tariff resolutions (1903) by, 78

Amana Society, A Brief History of the, 1714–1900, by CHARLES F. NOE, 162

Amana Society (Community of True Inspiration), origin of, 162; decline of, in eighteenth century, 165; re-

Digitized by Google

vival of, in 1817, 165; early leaders of, 163, 166, 167; establishment of government of, 168; basis of faith of, 168; first steps toward communism in, 170–172; removal of, to America, 173; troubles of, with Seneca Indians, 175; adoption of absolute communism by, 176; during residence in N. Y. State known as Ebenezer Society, 176; removal to Iowa in 1854, 178, 179; adoption of name Amana by, 179; founding of present villages of, 180; incorporation of, 180; most important provisions of constitution of, 180; Amana Township erected by, 183; present condition of the, 183–184; religious faith of, 184–187

Amendments to Constitution of Colorado, 272

American Economic Association, The, 200

American Gas and Light Association, The, 200

American Monthly, The, 110

American Political Science Association, The, by PAUL S. REINSCH, 155

American Political Science Association, The, organized at New Orleans, 155; movement leading to organization of, 155; purpose of, 156; purpose of meetings of, 157; departments of, 157; constitution of, 158, 159, 160; results to be expected from, 160, 161; better city government promoted by, 200

American Politics, rich field of, 161

American Revolution, Daughters of the, work of Iowa chapters of the:—Abigail Adams, 104, 107, 108, 109, 111, 112, 114; Cedar Rapids, 102, 106; Clinton, 102, 109, 110; Cedar Falls, 102, 103, 109; Council Bluffs, 102, 109, 113, 114; De Shon, 111; Elizabeth Ross, 105, 113, 114; Frances Shaw, 103, 109; Hannah Caldwell, 102, 109, 111, 113; Jean Espy, 105, 114; Keokuk, 105, 110, 113, 115; Martha Washington, 109; Old Thirteen, 103, 114; Pilgrim, 109, 113; Spinning Wheel, 110, 111, 114; Stars and Stripes, 105, 107, 111, 112, 113

American Revolution, Sons of the, in Iowa, 188–198

American Revolution, Society of Children of, 114

American Society for Civic Improvement, The 200

American Society of Municipal Improvement, The, 200

American Water-Works Association, The, 200

Ames, Fisher, an advocate of the Constitution, 13

Ames, chapter of the Iowa Society of the Sons of the American Revolution at, 193

Anamosa (Iowa), work of Daughters of the American Revolution at, 103, 109

Andrews, Mrs. Sophia, M. D., an Iowa "Real Daughter" of the American Revolution, 109

Anthropogeny, 357

Anthropological Association, Iowa, First Yearly Meeting of the, by DUREN J. H. WARD, 342

Anthropological Association, Iowa, founding of, 342; date of first yearly meeting of, 342

Anthropology, study of, has not reached the stage of reverence, 35; warning to students of, 57; preservation of Indian mounds an aid to the study of, 68; as a field study, 343; relation of, to Geology, 343, 344; the three methods of, 348; the science of the science makers, 352; pioneers of, in Iowa, 354; relation of, to Philology, 354, 355; definition of, rests on language, 354; and Philology mutually helpful, 355; relation of, to Sociology, 356; a common meeting ground for Sociologists, Biologists, and Geologists, 357; the lessons of, for Education, 359; relation of, to Iowa History, 362

Anthropometry, 359

Digitized by Google

Anti-Federalists, in first U.S. Congress, 27; opposition to Constitution by, in Penn., 6, 7; struggle between Federalists and, in first elections under the Constitution, in Penn., 6, 7, in Mass., 12, 13, in Maryland, 14–16, in New York, 22; weakness of, in first elections, 27

"A. P. A.," the, in Shelby Co., Iowa, 233

Appalachian forest reserve, bill concerning, supported by Daughters of the American Revolution, 111

Apportionment in Iowa, Assembly Districting and, by BENJ. F. SHAMBAUGH, 520

Apportionment in Iowa, Assembly, provisions of Organic Act of Territory of Wisconsin relative to, 524; provisions of the Organic Act of the Territory of Iowa relative to, 528; constitutional restrictions upon the General Assembly in the matter of, 542, 560; by Gov. Mason (Mich.), 521; by Gov. Dodge (Wis.), 524; by the Legislative Assembly (Wis.), 1838, 527; by Gov. Lucas, 528; by the Legislative Assembly, 1839, 532; in 1840, 534; in 1844, 537; in 1846, 538; by the Constitution, 544; in 1849, 546; in 1851, 549; in 1853, 553; in 1855, 554; in 1857, 559; in 1858, 565; in 1860, 566; in 1862, 568; in 1864, 571; in 1866, 574; in 1868, 579; in 1870, 581; in 1872, 581; in 1874, 584; in 1876, 586; in 1878, 588; in 1880, 588; in 1882, 588; in 1884, 590; in 1886, 592; in 1888, 592; in 1890, 594; in 1892, 594; in 1894, 596; in 1896, 596; in 1898, 598; in 1900, 598; in 1902, 598; in 1904, 603

Archæology, warning to students of, 57; preservation of Indian mounds an aid to the study of, 68; defined as the study of the remains of man, 346; an instrument of Anthropology, 347; utilized by History, 347; utilized by the study of sculpture, painting, etc., 347; utilized by the student of literature, 347; utilized by the student of Sociology, 347; a method of Anthropology, 348; institutions for the promotion of, 366

Aristotle, the first Baconian, 357

Arkansas, Territory of, established in 1819, 370

Armenburg (see Arnsburg), 171

Armstrong, Mrs. C. E., fourth State Regent of Iowa Daughters of the American Revolution, 108

Arnsburg, old convent leased by the Community of True Inspiration in 1832, 171

Aryan question, the, 355

Asbury, W. H. H., 191

Assembly Districting and Apportionment in Iowa, by BENJ. F. SHAMBAUGH, 520

Attorney General (Iowa), bibliography of publications of, for 1898–1899, 401

Auditor of State (Iowa), bibliography of publications of, for 1898–1899, 402

Audubon County, Danish settlement in, 86

Ault group of mounds, location and description of, 46

Australia, number of settlers from, in Shelby Co., Iowa, 91

Austria, number of settlers from, in Shelby Co., Iowa, 91

Avoca, a trading point of Shelby Co., Iowa, 242

Babylonia, records of early language in, 347

Bacon, Lord, 316

Bagehot, 357

Bailey, Hon. William Henry, former president of the Iowa Society of the Sons of the American Revolution, 192

Baldwin, Abraham, the most able of Georgia's first U. S. Representatives, 20

Bane group of mounds, location and description of, 47

Bank, U. S., favored by Webster, 329

Digitized by Google

Baptists (Shelby Co., Iowa), 94; church for Danish and American, 229; Republicans among, 94, 100
Barris, Mr., 354
Barter, in trade, in Shelby Co., Iowa, 241
Bartlett, Josiah, resignation of, from U. S. senatorship, 10
Bassett, Richard, one of Delaware's first Senators, 19
Becker, F. J., member of Executive Board of the Iowa Anthropological Association, 363
Belgium, number of settlers from, in Shelby Co., Iowa, 91
Benton, Thomas H., 329
Benton, Thomas H., Jr., member of committee on incorporations in Iowa legislature, 485
Beyer, J., one of the committee of the Community of True Inspiration to seek a new home in Iowa, 178, 179
Bible, question of, in schools in Colorado, 267
Bibliography of Iowa State Publications for 1898 and 1899, A, by MARGARET BUDINGTON, 399
Big Bend group of mounds, location and description of, 40; map of, 41
Big Bend of Iowa River, former lagoon at, 45; reason for settling of Mound Builders at, 45
Bill of Rights, report of committee on, in Colorado constitutional convention, 264
Biology, the human being from the standpoint of, 344, 345, 346
Birstein, one of the earliest congregations of the Inspirationists at, 163
Black Hawk, grave of, 107
Blaine, James G., on protection, 75; ambition of, to be president, 316; supporter of "American System," 331
Blair, William, revolutionary soldier buried in Iowa, 103, 194
Bliss, Rev. Sturtevant, chaplain of Colorado constitutional convention, 258
Board of Control (Iowa), bibliography of publications of, for 1898–1899, 402
Boardman, Charles E., 191
Boardman, Charles Henry Earnest, second secretary of the Iowa Society of the Sons of the American Revolution, 192
Boardman, Henry Elderkin Jewett, first president of the Iowa Society of the Sons of the American Revolution, 191, 192; aid of, in organizing the Iowa Society of the Sons of the American Revolution, 190
Bohemia, number of settlers from, in Shelby Co., Iowa, 91
Bolton, Prof. F. E., on *The Lessons of Anthropology for Education*, 359; elected Treasurer of the Iowa Anthropological Association, 363
Boudinot, Elias, one of first congressmen from New Jersey, 21
Boundaries (Iowa), the Lucas, 372; the Nicollet, 373; the present, 375; the compromise, 375
Boundary History of Iowa, Maps Illustrative of the, by BENJ. F. SHAMBAUGH, 369
Boundaries, the Iowa, a general review of the history of, 369–380; the most interesting phase of the history of, 372
Bradford, Theoderic F., 191
Bradley, member of committee on incorporations in Iowa legislature, 485
Bremner, W. H., 191
Bridgman, Laura, methods of acquiring knowledge by, 361
Bromwell, Judge H. P. H., estimate of character of, 261; the father of woman suffrage in Colorado, 267
Brooks, Dr., editor of bibliography on city conditions, 206
Brown, Mr., remarks of, on boundaries of Iowa, 374
Brown, John, attitude of North toward act of, at Harper's Ferry, 481, 482
Brown, Timothy, revolutionary soldier buried in Iowa, 103, 194, 195
Browning, member of committee on incorporations in Iowa legislature, 485

Digitized by Google

BUDINGTON, MARGARET, *A Bibliography of Iowa State Publications for 1898 and 1899*, 399
Budington, Margaret, 468
BURBANK, CAROLINE CLIFFORD, *The Iowa Daughters of the American Revolution*, 102
Burbank, Caroline Clifford, biographical note on, 152
Burke, Edmund, 316; read by Webster, 327
Burlington (Iowa), graves of British soldier and revolutionary patriot at, 105; work of Daughters of the American Revolution at, 102, 103, 105, 107, 111, 112, 113
Burr, A., 334
Burr, Mrs. Mary Ann Luther, an Iowa "Real Daughter" of the American Revolution, 109
Burrell, H. A., aid of, in identifying grave of revolutionary soldier, 103
Butler, Pierce, one of South Carolina's Senators, 20
Butler's Bridge, mounds near, 48
Calhoun, John C., view of, that the Constitution, *ex proprio vigore*, extended over all the territory belonging to the U. S., 326; protective policy initiated by, 331; exponent of Nullification, 331; challenge of, on State Rights, 333
Calvin, Samuel, President of Iowa Anthropological Association, 342; introductory address by, at the first yearly meeting of the Iowa Anthropological Association, 342; on the Indian quarries in the pipestone region, 343
Cambridge, graduates of, in first Congress, 29
Canada, number of settlers from, in Shelby Co., Iowa, 91
Canada Ebenezer, one of the villages of The Community of True Inspiration in Canada, 177
Caneborough (Kenneberg), one of the villages of the Ebenezer Society (Community of True Inspiration) located in Canada, 177
Carlyle, Thomas, characterization by, of Daniel Webster, 319, 320
Carroll, Charles, one of Maryland's first Senators and last surviving "Signer," 17
Cass County (Iowa), Danish settlement of, 86; Mormons in, 85
Cass Township (Shelby Co., Iowa), German settlement of, 87; organization of, 89
Catholic churches in Shelby Co., Iowa, 229
Cedar Falls, work of the Daughters of the American Revolution at, 102, 103
Cedar Rapids (Iowa), Republican State Convention at, in 1901, 69; work of the Daughters of the American Revolution at, 102, 106
Cedar Rapids Manufacturing Company, 390
Center Township (Shelby Co., Iowa), Danish settlement of, 87; organization of, 89
Chaffee, Jerome B., passage of enabling act for Colorado secured by, 258
Chamberlain, author of *The Child: A Study in the Evolution of Man, etc.*, 360
Chariton (Iowa), work of Daughters of the American Revolution at, 103, 114
Chase, Rev. James Balloch, chaplain of the Iowa Society of the Sons of the American Revolution, 193
Chatham, 327
Chickamauga, efforts of Iowa Daughters of the American Revolution to erect suitable monuments at, 112
Choate, 327
Churches in Shelby Co., Iowa, 229; as a segregating influence, 281, 283
Church property, taxation of, 267
Cities, rapid growth of, 199; problems of the small, 206
Civic Federation and Merchant's Club of Chicago, 205; service of, 205

Digitized by Google

Clarke, Abraham, a soldier of the Revolution, grave of, in Iowa, 105
Clark, Frank Benjamin, treasurer of the Iowa Society of the Sons of the American Revolution, 193
Clark, James Freeman, petition of, to Colorado constitutional convention, 267
Clay, Henry, 316; 327; 329; the father of the "American System," 331; a great compromiser, 336
Clay Township (Shelby Co., Iowa), Baptists in, 94; coöperative creamery in, 224, 225; Danish population of, 86, 87; early Adventist church in, 94; organization of, 88
Clinton (Iowa), work of Daughters of the American Revolution at, 102, 109, 110
Clinton County, colony from, in Shelby Co., Iowa, 87; reunions of settlers from, 219
Clymer, George, one of Pennsylvania's first congressional delegates, 7
Cochran, member of committee on incorporations in Iowa legislature, 485
Code commissioners (Iowa), appointed in 1848, 491
Code of 1851 (Iowa), provisions of, relative to corporations, 491; compared with act of 1847 relative to the matter of corporations, 492
Code of 1873 (Iowa), provisions of, relative to corporations, 501
Code of 1897 (Iowa), provisions of, relative to corporations, 508; changes made in the provisions of, relative to corporations, 515
Coe College (Iowa), donation to, by Daughter of the American Revolution, 106
Colorado, Constitution of, The, by Elmer H. Meyer, 256
Colorado, Constitution of, ancestry of, 257; enabling act for formation of, 258; preamble of, 265; plan of local government in, 265; characterization of, 271; vote on, 271; copy of and papers relating to, carried to Washington, 272; enrollment of, 272; amendments to, 272, 273; efficiency of, 273, 274
Colorado, constitutional convention of, meeting of, 258; difficulties of, 258; members of, 260, 261; officers of, 261; estimate of members of, 261; data relative to members of, 262, 263; Spanish-speaking members of, 263; faithful work of members of, 264; partisan politics eliminated from, 264; important questions considered by, 264; bill of rights in, 264; effort of, to restrain over-legislation, 265; local government in, 266; suffrage in, 266; address to the people by, 268, 270; question of amendments in, 269; adjournment of, 271
Colorado, declared to be a member of the Union by President Grant, 272
Commercial Exchange (Shelby Co., Iowa), The, a center for public-spirited men, 246
Community of True Inspiration, origin of, 162; decline of, in eighteenth century, 165; revival of, in 1817, 165; early leaders of, 163, 166, 167; establishment of government of, 168; basis of faith of, 168; persecution of, 164, 169, 173; first steps toward communism in, 170–172; removal to America of, 173; troubles of, with Seneca Indians, 175; adoption of absolute communism by, 176; during residence in N. Y. State known as Ebenezer Society, 176; removal to Iowa in 1854, 178–179; adoption of the name Amana Society, 179; founding of present villages of, 180; incorporation of, 180; most important provisions of constitution of, 180; present condition of the, 183–184; religious faith of, 184–187
Compromise of 1850, attitude of people of Iowa toward, 475; indignation aroused by, in Iowa, 479
Compromises, good and bad, 336

Digitized by Google

Comte, Auguste, method of, 357
Confederacy, changes in the country overthrew the, 335
Congregationalist church in Shelby Co., Iowa, 229
Congress, recognition of suppressed competition by, 81; notion that the Constitution was a compact asserted in and out of, 336
Congress, the first, character of members of, 27, 28; Federalists and Anti-Federalists in, 27; first meeting of, under the Constitution, 4; methods of choosing first Representatives and Senators to, 5; percentage of college graduates in, 13, 18, 29
Connecticut, first electors under the Constitution chosen by the legislature, 4; first representatives in Congress elected on general ticket in, 5; first Senators from, 18; percentage of college graduates in first Congress from, 18
Constitution, The First Elections Under the, by CHARLES OSCAR PAULLIN, 3
Constitution, United States, first elections under the, 4; made effective by vote of New Hampshire, 3; New York the first seat of government under, destined to baptism of blood, 335; 3; viewed as a compact between sovereign States, 336
Constitution of 1844 (Iowa), twice rejected in 1845, 375
Constitution of 1846 (Iowa), provisions of, relative to corporations, 393, 485
Constitution of 1857 (Iowa), provisions of relative to corporations, 498; attempt to include provisions relative to corporations in the bill of rights of, 497
Constitution of Colorado, The, by ELMER H. MEYER, 256
Constitution of Colorado, ancestry of, 257, 258; preamble of, 265; plan of local government in, 265; characterization of, 271; vote on, 271; copy of, and papers relating to, taken to Washington, 272; enrollment of, 272; amendments to, 272, 273; efficiency of, 273, 274
Constitution of Illinois, a model for Colorado, 257
Constitution of New York, a model for Illinois, 257
Constitutional convention of Colorado, meeting of, 258; difficulties of, 258, 260; members of, 260, 261; officers of, 261; estimate of members of, 261; data relative to members of, 262, 263; Spanish-speaking members of, 263; faithful work of members of, 264; partisan politics eliminated from, 264; important questions considered by, 264; bill of rights in, 264; effort of, to restrain over-legislation, 265; local government in, 266; suffrage in, 266; address to the people by, 268, 270; question of amendments in, 269; adjournment of, 271
Constitutional Law, a branch of Political Science, 157
Constitutionalists, in Pennsylvania, 7
Constitutions, State, a record of progress, 256
Continental Hall (Washington), building of, undertaken by National Society of the Daughters of the American Revolution, 110
Convention of 1846 (Iowa), 375, 376
Conventions, first State, for purpose of making nominations, 7
Conway, Wm., proclamations of, as acting-governor of Iowa Territory, 528
Cooley, Mrs. D. N., State Regent of Iowa Daughters of the American Revolution, 108
Coöperation in transporting farm produce in Shelby Co., Iowa, 244
Coöperative Associations in Shelby Co., Iowa, 223–225
Cope, Prof., suggestions of, regarding the relation of the herbivores and the carnivores, 345; on the "Law of the Unspecialized," 346

Digitized by Google

Corporate Regulation in the Territory of Iowa, Some Phases of, by FRANK E. HORACK, 381

Corporate Regulation in the State of Iowa, Some Phases of, by FRANK E. HORACK, 485

Corporation law, doctrine of the law of shares in, 391; doctrine of limited liability in, 391; principle of personal liability in, 390

Corporation law in Iowa, development of, to be found in acts of a general character, 485; the act of 1847, 485; the Code of 1851, 491; the Revision of 1860, 496; the provision of the Constitution of 1857 relative to, 497; Code of 1873, 501; legislation from 1873 to 1897, 502; the Code of 1897, 508; legislation since 1897, 515; conclusions relative to, 517; first general, 487

Corporation laws, increased interest in the study of, 381; lack of uniformity in, 381

Corporation problem, possible solution of, in principles of the case of McCullough vs. Maryland, 325

Corporations, question of, in West, 268

Corporations in Iowa, operation of, prior to 1834, 385; act of Territory of Michigan relative to, 385; constitutional provisions relative to, 485, 497; first general law relative to, 487; attempt to include provisions relative to, in the bill of rights of the Constitution of 1857, 497; act of Iowa legislature relative to foreign, 504; conclusions from the history of the law of, 518

Coppoc, Barclay, requisition of Governor of Virginia for surrender of, 488

Coulson, W. W., secretary of Colorado constitutional convention, 261

Courts, people's, on the plains of Colorado, 265; miner's, in Colorado, 265

Council Bluffs, as an early market, for people of Shelby Co., Iowa, 95; work of the Daughters of the American Revolution at, 102, 109, 113, 114

Counties in Iowa, history of the establishment and organization of, illustrated by maps, 520; first in Iowa, 522; of Dubuque and Demoine, 522

County Judge, early records showing control of affairs in Shelby Co., Iowa by, 247–250

Creameries, coöperative in Shelby Co., Iowa, 223–225

Croschek group of mounds, location and description of, 65

Cruikshank, J. P., a descendant of George Perkins, a soldier of the Revolution, 105

Cummins, Gov. A. B., discussion over Minneapolis address of, 76; endorsement of Iowa platform (1901) by, 73, 75; on monopolies, 76, 80; strong ground for tariff revision taken by, 74

Cuppy's Grove (Shelby Co., Iowa), 218

Curtis, Geo. William, defence of woman suffrage by, 266

Custodian of Public Buildings (Iowa), bibliography of, for 1898–1899, 402

Dairy Association (Iowa), State, bibliography of publications of, for 1898–1899, 420

Dairy Commission (Iowa), bibliography of publications of, for 1898–1899, 403

Dalton, Tristram, one of Massachusetts' first Senators, 13

Danes (Shelby Co., Iowa) as citizens, 100; characteristics of, 99–101, 219; Elkhorn, the Lutheran center for, 94, 229; early religious services among, 99; greatest rural colony of, in America, 86; growing importance of, 220; in politics, 94, 95, 227; reasons for insanity among, 254; religious organization of, 94; segregating influences among, 94; settlement of, 92

Danish Brotherhood, the, in Shelby Co., Iowa, 233

Digitized by Google

Danish farmers, Farmers Mutual Hail Insurance Association organized by, 239
Dartmouth College case, 328; principle of, obsolete at present time, 392
Darwin, Charles, inspired by Malthus, 357
Daughters of the American Revolution, The Iowa, by CAROLINE CLIFFORD BURBANK, 102
Daughters of the American Revolution, Iowa, work of chapters of Abigail Adams, 104, 107, 108, 109, 111, 113, 114; Cedar Rapids, 102, 106; Clinton, 102, 109, 110; Cedar Falls, 102, 108, 109; Council Bluffs, 102, 109, 113, 114; De Shon, 111; Elizabeth Ross, 105, 113, 114; Frances Shaw, 109; Hannah Caldwell, 102, 109, 111, 113; Jean Espy, 105, 114; Keokuk, 105, 110, 113, 115; Martha Washington, 109; Old Thirteen, 103, 114; Pilgrim, 109, 113; Spinning Wheel, 110, 111, 114; Stars and Stripes, 105, 107, 111, 112, 113; List of State Regents of, 108; ten "Real Daughters" in Iowa, 109
Daughters of the American Revolution, National Society of, 105; building of Continental Hall in Washington undertaken by, 110; service of, as examining board for female nurses during war with Spain, 112
Davenport (Iowa), work of the Daughters of the American Revolution at, 102, 109, 111
Davenport Academy of Science, an account of, by Mr. Paarmann, 352, 353; collections of, 353; coöperation of, with public schools, 353; work of, 353; workers in, of former years, 354, 366
Debs, eight votes cast for, in Shelby Co., Iowa, 1900, 228
DEEMER, HORACE E., *Daniel Webster*, 315
Delaware, a single Representative from, in first Congress, 5; Federalists in, 19; first electors from, under the Constitution chosen by the legislature, 4; first U. S. Senators from, 19; scant printed official records of, 3
Democratic party in Iowa, early attitude of, on slavery question, 474
Democrats in Shelby Co., Iowa, 94, 96, 100; mostly Germans, 227; organization of, 227
Denmark, number of settlers from, in Shelby Co., Iowa, 91
Denver Republican, estimate of members of Colorado constitutional convention by, 261
Des Moines (Iowa), Chapter of the Iowa Society of the Sons of the American Revolution at, 193
Des Moines, Ft. (Iowa), location of, to be marked by Daughters of the American Revolution, 107
Dewey, Mr., definition of Education, by, 359
Dey, Peter A., one of a committee to draft a constitution and by-laws for the Iowa Society of the Sons of the American Revolution, 191
Diplomacy, a branch of Political Science, 157
Districting and Apportionment in Iowa, Assembly, by BENJ. F. SHAMBAUGH, 520
Districting in Iowa, Assembly, in 1835, 523; in 1836, 525; in 1838, 529, 531; in 1839, 533; in 1840, 535; in 1844, 539; in 1846, 541, 543; in 1849, 547; in 1851, 551; in 1853, 555; in 1855, 557, 558; in 1857, 561; in 1858, 563, 564; in 1860, 567, 569; in 1862, 569, 572; in 1864, 573, 575; in 1866, 576, 577; in 1868, 578, 580; in 1870, 582, 583; in 1872, 585, 587; in 1874, 587; in 1876, 589, 591; in 1878, 591; in 1880, 591; in 1882, 593, 595; in 1884, 595; in 1886, 597, 599; in 1888, 599; in 1890, 600; in 1892, 597, 602; in 1894, 602; in 1896, 597, 602; in 1898, 602; in 1900, 602; in 1902, 597, 603; in 1904, 603
Dodge, Augustus C., Iowa represented

Digitized by Google

on slavery question in United States Senate by, 475; a believer in doctrine of squatter sovereignty, 477
Dodge, Gov. Henry, proclamation of, relative to assembly districting and apportionment in Iowa in 1836, 524
Doeller, G., one of the business managers of the Inspirationists from 1835–1842, 172
Doerr, Jacob, one of the business managers of the Inspirationists from 1835–1842, 172
Dolliver, Senator Jonathan P., on tariff revision, 73
Domestic animals, no clearly differentiated breed of, developed in America, 397
Douglas Township (Shelby Co., Iowa), organization of, 89
Dred Scott decision, political interest of, 480; attitude of Iowa toward, 482
Dubuque (Iowa), work of the Daughters of the American Revolution at, 102, 110, 115; historical corner in public library of, 110
Dubuque Mining Company, act incorporating, departs from the doctrine of the law of shares and limited liability, 392
Duelling, a bar to office in Colorado, 268
Duncan, Mr., remarks of, on the boundaries of Iowa, 374
Dungan, Col. Warren Scott, former president of the Iowa Society of the Sons of the American Revolution, 192
Dunkard church in Shelby Co., Iowa, 229, 230
Dyer, Judge J. J., instructions to jury by, in fugitive slave case in early Iowa, 476
Eads, Rev., chaplain of Colorado constitutional convention, 258
Eastern Star in Shelby Co., Iowa, 232
East Lucas Township, mounds in, 49
Ebenezer Society, (Community of True Inspiration), during residence in New York State known in business world as, 176; four villages of, 176; two villages of, in Canada, 177; sale of land in New York by, 180
Education, the lessons of Anthropology for, 359; reconstruction of science of, in recent years, 359; definition of, 359
Educational qualifications for voters, provision relative to, in Constitution of Colorado, 267
Egypt, source of literature of, 347
Electric lighting system, municipal ownership of, in Shelby Co., Iowa, 237, 238
Election, of members of Legislative Council of Michigan in 1835, 524
Elections, first, under the Constitution, little popular interest in, 32; estimated vote at, 30, 31
Electorate, indifference of early, 32; present day interest of, in politics, 31; ratio of actual voters to, in 1788, 32
Electors, first, under the Constitution, 4; duties and penalties of, in Virginia, 10; early Federalist and Anti-Federalist struggle over election of, in Mass., 12, 13; two methods of choosing, 4; wordless meeting of Federalist, in Mass., 14
Electors for President and Vice-President, election of, in Colorado, 269, 270
Elkhorn (Shelby Co., Iowa), center of Danish settlement, 94; Danish Lutheran college at, 222; Danish Lutheran Orphans' Home at, 222; Lutheran center for the Danes at, 229; establishment of post office at, 86
Ellsworth, Oliver, one of Connecticut's first U. S. Senators, later Chief Justice of the United States, 18
Elmer, Jonathan, one of New Jersey's first U. S. Senators, 21
Embargo act, opposed by Webster, 329
Enabling act, Colorado, 258
Encyclopedia of Political Science,

Digitized by Google

within the field of the American Political Science Association, 158
Engelthal, convent of, leased by the Inspirationists in 1884, 172
England, number of settlers from, in Shelby Co., Iowa, 91
Episcopal church in Shelby Co., Iowa, 229
Ethnology, Iowa, data for, 36; science of, included in Anthropology, 68
Eusebiogeny, the study of Religions, 358
Evangelical churches, German and American, in Shelby Co., Iowa, 229
Evans, Capt. Samuel Berry, first historian of the Iowa Society of the Sons of the American Revolution, 193
Everett, nonplussed at Webster's apparent indifference before replying to Hayne, 338
Executive Council (Iowa), bibliography of publications of, for 1898–1899, 403
Experiment stations of U. S. Department of Agriculture, 396
Fairview Township (Shelby Co., Iowa), organization of, 88; coöperative creamery in, 224; Germans in, mostly Democrats, 227
Family, the pioneer, in Shelby Co., Iowa, 286
Farmers' Half Breed Land Company, an act of special incorporation for the, passed by the legislature of the Territory of Iowa, 391
Farmers' Mutual Hail Insurance Association organized by Danish farmers in Shelby Co., Iowa, 239
Farquharson, Mr., 354
Federalists, in first Congress, 27; in Connecticut, 18; in Delaware, 19; in Maryland, 14, 16; in Massachusetts, 12, 13; in New York, 22; support of Constitution in Pennsylvania by, 6, 7; struggle of, in first election under the Constitution, 6, 7; victory for, in first election under the Constitution, 26; weakness of, in Virginia, 11; New England, opposed to Hamilton's ideas on the tariff, 330
Feeble Minded Children (Iowa), Institution for, bibliography of publications of, for 1898–1899, 414
Few, William, one of Georgia's first and leading U. S. Senators, 20
Finch, Rev., chaplain of Colorado constitutional convention, 258
First Elections under the Constitution, The, by Charles Oscar Paullin, 3
Fish and Game Warden (Iowa), bibliography of publications of, for 1898–1899, 404
Fitzsimons, Thomas, one of Pennsylvania's first congressional delegates, 8
Flom, Prof. Geo. T., on *The Relation of Philology to Anthropology*, 354, 355
Flusche, Joseph, Charles, and August, first settlers of Westphalia Township in Shelby Co., Iowa, 87
Foote, Mr., of Connecticut, resolution of, relative to the disposition of western public lands, 337
Force bill, favored by Webster, 330, 331
Forest culture, speech by Mr. Elbert on, in Colorado constitutional convention, 269
Foster, Theodore, one of Rhode Island's first U. S. Senators, 24
France, number of settlers from, in Shelby Co., Iowa, 91
Free trade, sound as an academic or purely theoretical proposition, but visionary as a practical scheme, 331, 332; the philosophy of the cloister, 332
Fugitive slave case in early Iowa, 476
Fugitive Slave Law, enactment of, 336; attitude toward, in early Iowa, 480
Finnic question, 355
Galland, Abraham, first settler of Shelby Co., Iowa, 85
Galland's Grove, a one thousand acre grove in Shelby Co., Iowa, 85, 218
Galland's Grove Township, organization of, 88
Garrison, William Lloyd, petition of, to Colorado constitutional convention, 267

Digitized by Google

Gass, Mr., 354
General Assembly, Colorado, composition of, 266
General Assembly (Iowa), bibliography of publications of, for 1898-1899, 404
Geology, becomes a grand epic through Anthropology, 342; relation of, to Anthropology, 343; the school of, essential to the education of a high grade Anthropologist, 344
Geological Survey (Iowa), bibliography of publications of, for 1898-1899, 407
Georgia, first electors from, under the Constitution chosen by the legislature, 4; first Senators from, 20; methods of choosing Representatives and Senators to first Congress in, 4, 5, 20; scant printed official records of, 3
Germans in Shelby Co., Iowa, largely Catholics, 229; Democrats in politics, 227; separated from rest of population by nationality, 219, 220; settlement of, 101
Germany, number of settlers from, in Shelby Co., Iowa, 91; travels of the early Inspirationists through, 162
Gerry, Elbridge, in first election under the Constitution, 13
Glacier, Iowan, moraine of, 36
Gleim, early Inspirationist preacher, 163
Groos, Mr., author of *The Play of Man*, 360
Government, considered a compact between sovereign States, 335
Government, city, associations for the promotion of better, 199, 200; defects in the early work of local organizations for good, 200; central organization necessary to, 200; two classes of, 200; magazine devoted to the politics of, 205; traveling library on, 212
Government, local, in Colorado, plan of, 265; near to the citizen, 256, 257; need of greater interest in, 161
Governor (Iowa), bibliography of publications of, for 1898-1899, 410
Grant, President, enabling act of Colorado approved by, 258; proclamation declaring Colorado a member of the Union issued by, 272
Grayson, William, one of Virginia's first U. S. Senators, 11
Greeley, Horace, defense of woman suffrage by, 266
Grimes, James W., Whigs in power with election of, as Governor of Iowa, 477; attitude of, on slavery question, 478, 481
Grizel group of mounds, location and description of, 55
Grove Township, in Shelby Co., Iowa, 85
Gruber, E. L., one of the founders of the Amana Society, 162; death of, 163
Gruber, J. A., son of E. L. Gruber, 162; early preaching of, 163
Gunn, James, one of Georgia's first U. S. Senators, 20
Hacktown (Shelby Co., Iowa), an example of early family influence, 218
HADLEY, ELBRIDGE DREW, *The Iowa Society of the Sons of the American Revolution*, 188
Hadley, Elbridge Drew, Secretary of the Iowa Society of the Sons of the American Revolution, 192; biographical note on, 312
Hamilton, Alexander, 329, 330; contrasted with Daniel Webster, 321; followed by Marshall, 323; clear conception of, relative to the new government, 333
Hardy, Mr., member of committee on incorporations in the Iowa legislature, 485
Harlan, James, election of, as U. S. Senator from Iowa, 479
Harlan (Shelby Co., Iowa), social distinctions made on basis of wealth in, 221; organized athletics in, 96
Harlan American, organ of Democratic party in Shelby Co., Iowa, 228
Harlan Township, organization of, 88
Harrisburg, Anti-Federalist convention at, 5, 6, 7

Digitized by Google

Harrison, Mr., 354
Harrison County, early sawmill in, 95; Mormons in, 85
Hartford Convention, discountenanced by Webster, 329; composed of Federalists, 334
Harvard, graduates of, in first Congress, 13, 29
Haskill, Rev., chaplain in Colorado constitutional convention, 258
Hawkins, Benjamin, one of North Carolina's first U. S. Senators, 23
Hawley, Rev., chaplain of Colorado constitutional convention, 258
Hayes, Rutherford B., and the electoral vote of Colorado, 270
Hayne, Mr., 328, 330; assault of, on New England, 337; second attack of, on New England, 338; flag of nullification and secession hoisted in Senate by, 338; effect of speech of, on the North, 338, 339
Hazen, Dr. Edward Hamlin, registrar and historian of the Iowa Society of the Sons of the American Revolution, 193
Health (Iowa) State Board of, bibliography of publications of, for 1898–1899, 410
Heinemann, Barbara (Inspirationist prophetess), early life of, 166; gift of inspiration received by, 167; work of, 167–168; loss of gift of inspiration by, 172
Heinemann, F., one of the business managers of the Inspirationists, 1835–1842, 172; one of a committee appointed by the Community of True Inspiration to seek a new home in Iowa, 179
Hempstead, Stephen, code commissioner to draw up the Iowa Code of 1851, 491
Henry, John, one of Maryland's first U. S. Senators, 17
Henry, Patrick, leader of the Anti-Federalists in Virginia, 11; sympathy of, in first campaign under the Constitution, 25
Hepburn, W. P., 191
Herrnhaag, one of the early estates leased by the Community of True Inspiration, 170, 171
Hessia (Germany), beginnings of the Amana Society in, 162
Hill, Allen, elected to Legislative Council (Michigan) in 1835, 524
Himbach, one of the first congregations of the Inspirationists at, 163; visit of Christian Metz to, 158
Hinrichs-Burger group of mounds, location and description of, 49, 51; map of, 50
Historical Department (Iowa), bibliography of publications of, for 1898–1899, 412
Historical Society (Iowa), State, bibliography of publications of, for 1898–1899, 421
History of the Amana Society, A Brief, 1714–1900, by Charles F. Noe, 162
History of the Iowa Idea, The Origin and, by George E. Roberts, 69
History of the Mass, the, written by Francis Shaw chapter of the Daughters of the American Revolution, 109
Holland, number of settlers from, in Shelby Co., Iowa, 91; early preaching of the Inspirationists in, 163
Homburgshausen, old Inspiration community of, visit of Christian Metz to, 168
Homestead, a village purchased by the Amana Society in 1862, 180
Horack, Frank E., *Some Phases of Corporate Regulation in the Territory of Iowa*, 381
Horack, Frank E., *Some Phases of Corporate Regulation in the State of Iowa*, 485
Horticultural Society (Iowa), bibliography of publications of, for 1898–1899, 412
House of Representatives (Iowa), bibliography of publications of, for 1898–1899, 413
Hughes, member of committee on in-

Digitized by Google

corporations in the Iowa legislature, 485
Hull, Mrs. J. A. T., second State Regent of Iowa Daughters of the American Revolution, 108
Hunt, Timothy, 192
Hunt, Frank S., 192
Hutchins, Capt. Edward Ridgway, third Secretary of the Iowa Society of the Sons of the American Revolution, 192
Illinois, constitution of, a model for Colorado, 257; modeled upon constitution of New York, 257
Illinois, homeseekers from, in Shelby Co., Iowa, 88, 220
Inauguration Day, fixing date of, for U. S. President, 4
Incorporation, law of, for religious, charitable, or literary purposes, in the Northwest Territory, 383; act of Territory of Michigan relative to, 386; numerous acts of, passed prior to organization of Wisconsin Territory, 385; numerous acts of, passed by legislature of the Territory of Wisconsin, 387; special acts of, passed by legislature of the Territory of Iowa, 390; evils of special acts of, shown in the history of the Territory of Iowa, 392; provisions of Iowa Constitution of 1846 relative to, 393; standing committees on, in 1st General Assembly of Iowa, 485; bill to authorize general, in 1847, 486; first general law relative to, 487
Indian Creek, early name of Clay Township in Shelby Co., Iowa, 88
Indiana, homeseekers from, in Shelby Co., Iowa, 88, 220
Indiana, Territory of, established in 1800, 384; divided in 1805, 384; map of, 377
Indians, Sac, Fox, and Musquakie in Iowa, 47
Indians, use of fire by, in the pipestone quarries, 344; Digger, 350
Industries, ingenuity and skill shown in, in Shelby Co., Iowa, 240
Industrial American, The, organ of the the People's Party in Shelby Co., Iowa, 228
Industrial School for Boys at Eldora (Iowa), bibliography of publications of, for 1898–1899, 414
Industrial School for Girls at Mitchelville (Iowa), bibliography of publications of, for 1898–1899, 414
Inspirationists, origin and early history of, 162; first congregations of, 163; persecution of, 164, 169, 173; decline of, in eighteenth century, 165; revival of, in 1817, 165; early leaders of, 163, 166, 167; establishment of government of, 168; basis of faith of, 168; first steps toward communism among, 170, 172; removal to America of, 173; troubles of, with the Seneca Indians, 175; adoption of absolute communism by, 176; during residence in N. Y. State known as Ebenezer Society, 176; removed to Iowa in 1854, 178, 179; adoption of the name Amana Society by, 179; founding of present villages of, 180; incorporation of, 180; most important provisions of constitutions of, 180; present condition of, 183, 184; religious faith of, 184, 187
Insular cases, decision in, based on Daniel Webster's idea with reference to the "March of the Constitution," 325
Internal improvements, favored by Webster, 329
International Law, a branch of Political Science, 157
Iowa, a part of the Louisiana Purchase and included within the Territory of Missouri, 384, 385; not open for settlement in 1821, 385; a part of Michigan in 1834, 385
Iowa, Assembly Districting and Apportionment in, by BENJ. F. SHAMBAUGH, 520
Iowa, bill for the admission of, reported, 373; debate on bill for ad-

Digitized by Google

mission of, 374, 375; early steps in the history of, 521

Iowa, Maps illustrative of the Boundary History of, by BENJ. F. SHAMBAUGH, 369

Iowa, Some Phases of Corporate Regulation in the Territory of, by FRANK E. HORACK, 381

Iowa, Some Phases of Corporate Regulation in the State of, by FRANK E. HORACK, 485

Iowa, Territory of, established in 1838, 372, 389; boundaries of, 372; map of, 378; reënacted major portion of laws passed by Territory of Wisconsin, 389; special acts of incorporation passed by legislature of, 390; evils of special acts of incorporation in, 392

Iowa, The Negro and Slavery in Early, by LOUIS PELZER, 471

Iowa Anthropological Association, First Yearly Meeting of, by DUREN J. H. WARD, 342

Iowa Anthropological Association, founding of, 342; date of first yearly meeting of, 342; first yearly meeting of, 342; Prof. Calvin's introductory address at, 342; Prof. Wilder's address on *The Light that Physiographic Studies Throw on Anthropological Problems* at, 343; Prof. Nutting's address on *The Human Being from the Standpoint of Biology* at, 344; Prof. Fairbanks' address on *Archæology as an Instrument of Anthropology* at 346; Prof. Shimek's address on *Mode of the Deposition of the Loess and the Consequent Difficulty in Determining the Age of Human Remains* at, 349; Mr. Paarmann's address on *The Davenport Academy* at, 352; Prof. Flom's address on *The Relation of Philology to Anthropology* at, 354; Prof. Loos' address on *The Relation of Anthropology to Sociology* at, 356; Prof. Bolton's address on *The Lessons of Anthropology for Education* at, 359; Prof. Shambaugh's address on *The Relation of Anthropological Work to Iowa History* at, 362

Iowa Band, the, value of work of, 106

Iowa City, work of the Daughters of the American Revolution at, 102

Iowa Daughters of the American Revolution, The, by CAROLINE CLIFFORD BURBANK, 102

Iowa Ethnology, data for, 36

Iowa Hall of History, The, a desirable depository for revolutionary relics in Iowa, 106; Old Settlers Tea in, 107; bronze tablet to memory of the five revolutionary soldiers buried in Iowa placed in, by sons of the American Revolution, 195

Iowa history, the relation of Anthropological work to, 362

Iowa Idea, The Origin and History of the, by GEORGE E. ROBERTS, 69

Iowa Idea, origin of the term, 69

Iowa Journal of History and Politics, The, an aid to work of the Daughters of the American Revolution, 106

Iowa Mounds, Some,—An Anthropological Survey, by DUREN J. H. WARD, 34

Iowa Society of the Sons of the American Revolution, The, by ELBRIDGE DREW HADLEY, 188

Iowan Glacier, moraine of, 36

Ireland, number of settlers from, in Shelby Co., Iowa, 91

Italy, number of settlers from, in Shelby Co., Iowa, 91

Izard, Ralph, one of South Carolina's first Senators, 20

Jackson, Andrew, 329; 333; attitude of, toward Nullification, 336

Jackson Township (Shelby Co., Iowa), Danish settlement of, 87; organization of, 88; coöperative creamery in, 224

Jefferson, Thomas, 323; 329; not in a strict sense author of Declaration of Independence, 340

Johnson, William S., one of Connecticut's first Senators, later president of Columbia College, 18

Digitized by Google

Johnson, works of, read by Webster, 327
Johnson, President, enabling act for Colorado vetoed by, 259
Johnson County, colony from, in Shelby Co., Iowa, 87; reunion of settlers from, 219
Johnston, Samuel, one of North Carolina's first U. S. Senators, 23
Jones, George W. (from Iowa), attitude of, in United States Senate on the slavery question, 475
Jones, Representative, guest at dinner of the Iowa Anthropological Association, 351
Jones County, colony from, in Shelby Co., Iowa, 87; reunion of settlers from, 219
Jurisprudence, a branch of Political Science, 155, 157
Justice of the Peace, early records, showing control of affairs in Shelby Co., Iowa. by, 247–250
Kämpf, Dr. J. P., an early Inspirationist preacher, 163
Kanesville, early name of Council Bluffs, 230; Mormon society at, 85
Kansas-Nebraska Bill, opposition of Iowa to, 478, 479
Keatley, J. H., one of a committee to draft a constitution and by-laws for the Iowa Society of the Sons of the American Revolution, 191
Keller, Helen, 361
Kent, Rev. Evarts, former chaplain of the Iowa Society of the Sons of the American Revolution, 193
Kentucky and Virginia Resolutions, 334
Keokuk (Iowa), work of the Daughters of the American Revolution at, 102, 105, 110, 113, 115; historical collection in, 110; chapter of Iowa Society of the Sons of the American Revolution at, 193
Kilborn, Lucien S., 191
King, Rufus, 13; one of New York's first U. S. Senators, 22
Kirkwood, Samuel J., on Kansas-Nebraska Act, 481; protest of Democrats against inaugural of, 482; requisition of Governor of Virginia refused by, 483
Knapp, Prof. Herman, former president and secretary of the Iowa Society of the Sons of the American Revolution, 192
Knights of Pythias, not strong in Shelby Co., Iowa, 232
Koser group of mounds, location and description of, 48
Kraussert, M. (of Strassburg), Inspirationist leader, gift of inspiration of, 166; loss of gift of inspiration by, 167
Labor Statistics (Iowa), Bureau of, bibliography of publications of, for 1898-1899, 415
Lafayette, statue of, presented to France, 111
Lamarck, 361
Lamb, Mrs. Chauncey, an Iowa "Real Daughter" of the American Revolution, 109
Lancaster, Federalist State convention at, 6, 7
Land Department (Iowa), bibliography of publications of, for 1898-1899, 415
Langdon, John, first president pro tem of the U. S. Senate, 10
Language, a basis for anthropological definition, 354; theory of the development of, 356
Lansing Man, analysis of the case of the, 349, 350
Laubach, Count, owner of two convents leased by the Inspirationists in 1832-1834, 171, 172
Law, Daniel Webster's view of, 317
Law of shares, principle of, in early Iowa law, 391
Law, constitutional, a branch of Political Science, 157; international, a branch of Political Science, 157
Law relative to corporations in Iowa, character of, 485; in act of 1847,

Digitized by Google

485; in Code of 1851, 491; in Revision of 1860, 496; in Constitution of 1857, 497; in act of 1870, 499; in Code of 1873, 501; in legislation from 1873 to 1897, 502; in Code of 1897, 508; in legislation since 1897, 515; conclusions from the history of, 517
Laws, power of making, in the Northwest Territory, 381
Laws of Colorado, to be printed in Spanish and German, 269
Lawyer, the fame of, generally local and evanescent, 323
League of American Municipalities, The, 200; unique place of, 201; members, work, and conferences of, 201; work of, confined to the larger cities, 206
League of Wisconsin Municipalities, The, by SAMUEL EDWIN SPARLING, 199
League of Wisconsin Municipalities, 207; origin of, 207; objects and purposes of, 207; services of, 208; membership of, 208; conferences of, 208, 209; central bureau of information of, 210; official organ of, 210, 211; books recommended by, 211; efforts of, in preventing undesirable legislation, 213; efforts of, in securing desirable legislation, 213, 214; program of, 215; results secured by, 215; benefits secured by, 216; future promise of, 216
Lee, Richard Henry, one of Virginia's first U. S. Senators, 11
Lee County, unmarked grave of Revolutionary soldier in, 105
Legislation, comparative, a branch of Political Science, 155, 157
Lepper, John, A Revolutionary soldier buried in Iowa, 196
Letcher, Governor of Virginia, requisition of, for surrender of Barclay Coppoc, 483
Liberty and Union, the message of Webster to his time and all time, 341
Library Commission, Wisconsin Free, library of, on municipal government, 212
Licenses, an act granting licenses to the merchants, traders, and tavern-keepers in the Northwest Territory, 382, 383
Liebloos, one of the earliest congregations of the Inspirationists at, 163; visit of Christian Metz to, 168
Limited liability, principle of, in early Iowa law, 391
Lincoln, Abraham, an Illinois pioneer, 257; would save the Union with or without slavery, 341
Lincoln Township (Shelby Co., Iowa), German settlement of, 87; organization of, 89
Linn, Rev., chaplain of Colorado constitutional convention, 258
Local government, need of greater interest in, 161; plan of, in Colorado, 265
Locke, on the theory of the origin of knowledge, 361
Locust, Rocky Mountain, in Colorado, 260
Lodge, Senator, opinion of Webster as an orator by, 327
Loess, yellow, mounds composed of, 49, 54, 56, 59, 64, 67
Loos, Prof. I. A., on *The Relation of Anthropology to Sociology*, 356; elected President of the Iowa Anthropological Association, 363
Lord, Dr., chaplain of Colorado constitutional convention, 258
Loring, Major Francis Harmer, sixth president of the Iowa Society of the Sons of the American Revolution, 192
LOUIS, JOHN J., *Shelby County—a Sociological Study*, 83
Louis, John J., biographical note on, 152
Louisiana, District of, established in 1804, 369
Louisiana, Province of, acquisition of, the cementing influences of the war

Digitized by Google

of 1812 and of nationalism, 335; acquired by U. S. in 1803, 369; division of, into Upper Louisiana and Lower Louisiana, 369
Louisiana, Territory of, established in 1804, 370
Löw, Casper, an early Inspirationist preacher, 168
Lowe, Ralph P., discussion of Dred Scott decision in inaugural address of, 482
Lucas Boundaries, map of, 379
Lutherans (in Shelby Co., Iowa), 94; center for, 229; college under auspices of, 222; Democrats among, 94, 100, 229; Republicans among, 227
Maccabees, in Shelby Co., Iowa, 232
Maclay, William, one of Pennsylvania's first Senators, 8
MacLean, President G. E., guest at dinner of the Iowa Anthropological Association, 351; address of welcome by, 351
MACY, JESSE, *The National University of Agriculture*, 394
Madison, James, the personally conducted campaign of, 11
Madison, the doctrine of secession admitted by, 334
Mahaska County, colony from, in Shelby Co., Iowa, 87
Malthus, work of, in Sociology, 357
Man, from the standpoint of Biology, 344, 345, 346; an animal high up in the scale of life, 344; distinguishing characteristics of, 344, 345; hairlessness of, probably due to correlation of epiblastic structures, 345
Map, of the old Northwest Territory, 377; of the Indiana Territory, 377; of the Territory of Michigan, 377; of the Territory of Wisconsin, 378; of the Territory of Iowa, 378; of the Lucas Boundaries, 379; of the Nicollet Boundaries, 380
Maps Illustrative of the Boundary History of Iowa, by BENJ. F. SHAMBAUGH, 369
Maps illustrative of assembly districts in Iowa, author of, 521; as data for county history, 520; originals of, preserved in library of State Historical Society of Iowa, 521; in 1835, 523; in 1836, 525; in 1838, 529, 531; in 1839, 533; in 1840, 535; in 1844, 539; in 1846, 541, 543; in 1849, 547; in 1851, 551; in 1853, 555; in 1855, 557, 558; in 1857, 561; in 1858, 563, 564; in 1860, 567, 569; in 1862, 570, 572; in 1864, 573, 575; in 1866, 576, 577; in 1868, 578, 580; in 1870, 582, 583; in 1872, 585, 587; in 1874, 587; in 1876, 589, 591; in 1878, 591; in 1880, 591; in 1882, 593, 595; in 1884, 595; in 1886, 597, 599; in 1888, 599; in 1890, 600; in 1892, 597, 602; in 1894, 602; in 1896, 597, 602; in 1898, 602; in 1900, 602; in 1902, 597, 603; in 1904, 603
Maps of Indian mound groups by Bertha H. Shambaugh, 37, 38, 41, 43, 50, 53, 61
Marienborn, first estate leased by the Community of True Inspiration, 170
Marquette Club of Chicago, address of Governor A. B. Cummins before, 74
Marshall, Chief Justice, true proportions and foundations of Constitution preserved by, 322; coöperated with Daniel Webster for liberal interpretation of the Constitution, 323; influence of decisions of, 335
Marshalltown (Iowa), work of Daughters of the American Revolution at, 102, 103, 110, 111, 114
Maryland, account of first election days in, 15; Federalists in, 14; exciting campaign in, during first election under Constitution, 14; first electors under the Constitution elected by popular vote in, 4; first Senators from, 17; methods of choosing Representatives and Senators to first Congress, 5, 14, 17; percentage of votes in, 30; viva voce vote in, 14, 29
Mason, Chief Justice, decision of, in earliest slave case in Iowa, 471

Digitized by Google

Mason, Charles, code commissioner in Iowa in 1851, 491
Mason, Gov. S. T., proclamation of, relative to assembly districts in the Iowa country in 1835, 521
Masons, flourishing lodges of, in Shelby Co., Iowa, 232
Massachusetts, first electors from, under the Constitution elected by popular vote in, 4; first Senators from, 13; methods of, in choosing Representatives and Senators to first Congress, 4, 5, 12; number of college graduates in first Congress from, 13; struggle between Federalists and Anti-Federalists of, in first elections, 12, 13; wordless meeting of first electors in, 14
Mayer, C. L., one of the committee of four to select a new home for the Inspirationists in the West in 1854, 178
Maytag, Senator, guest at dinner of the Iowa Anthropological Association, 351
McCullough vs. Maryland, case of, summarized, 324; principles of, throw light on the corporation problem of to-day, 325
McGee, W. J., guest of honor at first yearly meeting of the Iowa Anthropological Association, 342; on the use of fire by the Indians in the pipestone quarries, 344; guest at dinner of the Iowa Anthropological Association, 351; remarks of, at dinner of the Iowa Anthropological Association, 352; remarks of, on the work of the Davenport Academy of Science, 353; remarks of, on the development of language, 356; theory of, that man became man by use of fire, 358; address by, on "Three Stages in Human Progress—Fire, Knife, and Wheel," 365, 366, 367, 368
McGeehon, R. D., 191
McKinley, President, commendations of, on Iowa platform (1901), 73; reference of Senator Dolliver to, 74
McManus, member of committee on incorporations in Iowa legislature, 485
Meadow Garden Farm, buying of, by Daughters of the American Revolution, 111
Medium of exchange, metal checks used as, in Shelby Co., Iowa, 241
Men, publicity of the lives of great, 316
Methodists (Shelby Co., Iowa), 229; large number of congregations of, 230
Metz, Christian, Inspirationist prophet, gift of inspiration received by, 167; work of, 167, 168, 172; removal of Inspirationists to America directed through inspiration by, 173; one of the committee to select a home for the Inspirationists in America, 173, 175; removal to Iowa directed through inspiration by, 178; one of the committee of four to select a new home for the Inspirationists in the West in 1854, 178
Meyer, Elmer Herbert, *The Constitution of Colorado*, 256
Meyer, Elmer Herbert, a biographical note on, 312
Michigan, movement for the admission of, into the Union, 521; the "contingent remainder" of, 522
Michigan, Territory of, enlarged in 1834, 370; map of, in 1834, 377; established in 1805, 384; acts of Parliament inherited by, 384; laws inherited by, repealed in 1810, 384; act of, relative to corporations, 385
Millard, Frank Ashley, 191
Miller, A. R., aid of, in identifying grave of revolutionary soldier, 104
Milton, works of, read by Webster, 327
Mine Inspectors (Iowa), bibliography of publications of, for 1898–1899, 415
Miners' courts in Colorado, 265
Minneapolis, address of Governor Cummins before Club of, 74
Mirabeau, 328
Missouri Compromise, attitude of Whig party in Iowa toward, 477; Senator Douglas on, 478

Digitized by Google

Missouri, Territory of, established in 1812, 370; Territory of Arkansas carved out of, 370; admitted into the Union in 1821, 370
Modern Woodmen, the, in Shelby Co., Iowa, 233
Moerschel, Wm., one of the business managers of the Inspirationists in 1835–1842, 172
Monopoly, Governor Cummins on, 76; the tariff a shelter to, 80
Mook, P., one of the business managers of the Inspirationists in 1835–1842, 172
Monroe Township (Shelby Co., Iowa), coöperative creamery in, 224; Danish population of, 86, 87; organization of, 89
Mormons, 230; society of, in Kanesville, 85; separatists in Shelby Co., Iowa, 91
Morris, Robert, the financier of the Revolution, 8
Mounds, Some Iowa—An Anthropological Survey, by DUREN J. H. WARD, 34
Mounds, Iowa, composed of yellow loess, 44, 49, 54, 56, 59, 64, 67; curiosities to Iowa Indians, 48; descriptions of some extant groups of 40–67; maps showing location of, 37, 38; maps of groups of, 41, 43, 50, 53, 61; number of counties containing, 39, 67; tepee bottom of, 42; the quest for, 36; thoughtless spoiling of, 45, 46, 54, 56, 66; relics from, 57, 60, 66; reasons for preserving, 68; sepulchral, 42
Mound Builders, Southern, collection of pottery of, made by Davenport Academy of Science, 353
Mounds, photographs and maps of, in Johnson County, 351; stone implements and pottery taken from, 351; should be explored and surveyed, 362
Mount Pleasant (Iowa), monument to memory of revolutionary soldier at, 104
Mott, D. C., 191
Muhlenberg, Frederick Augustus, first Speaker of the House of Representatives, 8
Muhlenberg, Peter, one of Pennsylvania's first congressional delegates, 7
Mulattoes, An Act to Regulate Blacks and, in Iowa, 471
Municipal Affairs, a magazine devoted to the politics of city government, 206
Municipal government, association for the promotion of better, 199, 200; defects in early work of local organization for good, 200; central organization necessary, 200; two classes of, 200; work of local associations, 205; magazine devoted to the politics of, 205, 206; traveling library on, 212
Municipal League of Philadelphia, 205
Municipal reform, program of National Municipal League for, 203
Municipalities, the League of Wisconsin, by EDMUND EDWIN SPARLING, 199
Municipalities, League of Wisconsin, 207; origin of, 207; objects and purposes of, 207; services of, 208; membership of, 208; conferences of, 208, 209; central bureau of information of, 210; official organ of, 210, 211; books recommended by, 211; efforts of, in preventing undesirable legislation, 213; efforts of, in securing desirable legislation, 213, 214; program of, 215; results secured by, 215; benefits conferred by, 216; future promise of, 216
Municipalities, State league of, 206; a general law for, in Wisconsin, 214
Municipality, The, official organ of the League of Wisconsin Municipalities, 211
Munsell, Orson, W., 191
Myers group of mounds, location and description of, 42–44; map of, 43
Mythology, an aid to Sociology, 358
Nagel, P. G., an early Inspirationist preacher, 164; death of, 165

Digitized by Google

National Municipal League, The, 200; conspicuous place of, 201; organization of, 201; advanced attitude of, 202; opposition to reforms of, by practical politicians, 202; work, program, and results accomplished by, 202, 203, 204

National University of Agriculture, The, by JESSE MACY, 394

Nationalism, the dominant note in Webster's speeches and addresses, 333; slow growth of, 334; the spirit of, became triumphant from the hour of Webster's reply to Hayne, 340

Navigation and Hydraulic Company of the Mississippi Rapids, the, 491

Negro and Slavery in Early Iowa, The, by LOUIS PELZER, 471

Negro in Early Iowa, the, an act to regulate, 471; citizenship of, 472; suffrage of, 473

Negroes, number of, in Shelby Co., Iowa, 91

Nettleton, Mrs. Emily Smith Reed, an Iowa "Real Daughter" of the American Revolution, 109

Neuman, Gottfried, an early Inspirationist preacher, 163

Neuwied, one of the earliest Inspirationists congregations at, 163; visit of Christian Metz to, 168

New England, early voting place in, 29

Newcomb, Rev. Ezra Butler, former chaplain of the Iowa Society of the Sons of the American Revolution, 193

New Hampshire, deadlock in State legislation of, over selection of first electors, 9; Federalist and Anti-Federalist parties in, 8; first U. S. Senators from, 10; first electors under the Constitution elected by popular vote in, 4; methods of choosing first Representatives and Senators in Congress, 5, 8

New Jersey, Federalists in, 21; first campaign under the Constitution in, 20, 21; first electors under the Constitution chosen by the legislature of, 4; first Representatives in Congress elected on general ticket, 5, 20; first U. S. Senators from, 21; scant printed official records of, 3

Newspapers in Shelby Co., Iowa, 245

New York, apathy of, regarding Constitution, 22; first seat of government under the Constitution of U. S. at, 3; first U. S. Senators from, 22; methods of choosing Representatives and Senators to first Congress in, 4, 5; not represented in first electoral colleges, 4; party animosities in first elections under the Constitution in, 22; struggle between Federalists and Anti-Federalists in first election under the Constitution in, 22

New York, constitution of, a model for Illinois, 257

Nicollet boundaries, map of, 380

Nishnabotna river, valley of, home of first settler of Shelby Co., Iowa, 86; water supply furnished by, 237

NOE, CHARLES F., *A Brief History of the Amana Society, 1714–1900*, 162

Noe, Charles Fred, biographical note on, 311

Noe, Wm., one of the committee to select a home for the Inspirationists in America, 173, 175

Normal School (Iowa), State, bibliography of publications of, for 1898–1899, 421

North Carolina, U. S. Constitution adopted by, after it had gone into effect, 4; first Senators from, 23; method of choosing first Representatives and Senators in Congress, 4, 5, 23

Northwest Territory, map of, 377

Norway, number of settlers from, in Shelby Co., Iowa, 91

Nullification, 331

Nutting, Professor C. C., on *The Human Being from the Standpoint of Biology*, 344; remarks of, relative to the origin of man, 358; chairman of committee

Digitized by Google

on nominations at the meeting of the Iowa Anthropological Association, 363
Odd Fellows Order in Shelby Co., Iowa, 232
Ogden Land Co., first home of Community of True Inspiration in America purchased from, 175
Ohio, efforts of, to preserve Indian mounds, 68
Ohio, people from, in Shelby Co., Iowa, 85, 88, 220
Ohio, State of, organization of, 384
Oil Inspectors (Iowa), bibliography of publications of, for 1898–1899, 415
Old Thirteen, song sung at the last Continental Congress, 114
Olmstead, Mr., member of committee on incorporations in Iowa legislature, 485
Origin and History of the Iowa Idea, The, GEORGE E. ROBERTS, 69
Orleans, Territory of, established in 1804, 369; under the jurisdiction of the Governor and Judges of Indiana, 370
Osborne, John, revolutionary soldier buried in Iowa, 103, 194
Ostrander, Mrs. Susan Antoinette Wood, an Iowa "Real Daughter" of the American Revolution, 109
Otis, Harrison Gray, 13
Ottumwa (Iowa), work of the Daughters of the American Revolution at, 102, 105, 113, 114; chapter of the Iowa Society of the Sons of the American Revolution at, 193
Over-legislation, effort to restrain, by constitutional convention of Colorado, 265
Oxford, graduates of, in first Congress, 29
Paarmann, J. H., on the Davenport Academy of Sciences, 352; elected Vice-president of the Iowa Anthropological Association, 363
Packard, Stephen B., 191
Parker, John, elected to Legislative Council (Mich.) in 1835, 524
Parker, Theodore, quotation from, on Daniel Webster, 317
Parry, Mr., 354
Partnership, limited, act of legislature of Territory of Wisconsin relative to, 387, 388; similar to ordinary business partnerships, 387–389
Parton, characterization of Daniel Webster by, 319
Pathology, social, of Shelby Co., Iowa, 255
Patterson, William, one of New Jersey's first U. S. Senators, 21
Patterson, Thomas M., territoral representative of Colorado in Congress, 259
PAULLIN, CHARLES OSCAR, *The First Elections under the Constitution*, 3
Paullin, Charles Oscar, biographical note on, 152
Paupers, permanent home for, in Shelby Co., Iowa, 252
Peabody, Nathaniel, 10
Peck, Mrs. Maria Purdy, State Regent of Iowa Daughters of the American Revolution, 108
PELZER, LOUIS, *The Negro and Slavery in Early Iowa*, 471
Pelzer, Louis, biographical note on, 648
Penn Township, mounds in, 40, 42, 46, 47, 48
Penitentiary (Iowa), Anamosa, bibliography of publications of, for 1898–1899, 416; Fort Madison, 416
Pennsylvania, Anti-Federalist opposition to Constitution in, 5, 6; Federalist support of Constitution in, 6; first congressional delegation of, 7; first electors under the Constitution elected by popular vote in, 4; first campaign in, 7; first electoral vote of, 8; first Representatives in Congress elected on general ticket, 5; first U. S. Senators from, 8; people from, in Shelby Co., Iowa, 85, 88
P. E. O. Society, The, library maintained by, in Shelby Co., Iowa, 233
People's Party in Shelby Co., Iowa, 228
People's courts in Colorado, 265

Digitized by Google

Perkins, George, a soldier of the Revolution, unmarked grave of, in Iowa, 105, 194
Perkins, Hon. Geo. D., convention address of, 79
Personal liability, principle of, in corporation laws, 390
Pharmacy Commission (Iowa), bibliography of publications of, for 1898–1899, 416
Philology, relation of, to Anthropology, 354, 355; an aid to Sociology, 358
Phonetics, a physiological science, 355; relation of, to Biology, Anthropology, and Philology, 355
Pickering, Colonel Timothy, 30, 32
Pierce, Franklin Gilman, first secretary of the Iowa Society of the Sons of the American Revolution, 190, 192
Pinckney, Charles, 27
Pioneer Lawmakers Association (Iowa), bibliography of publications of, for 1898–1899, 416
Pioneering in Shelby Co., Iowa, 97, 98
Pitt, 327
Plato, method of, 356
Plum, H. G., member of Executive Board of the Iowa Anthropological Association, 364
Plymouth oration, Webster's, 328
Poland, number of settlers from, in Shelby Co., Iowa, 91
Political Equality Club in Shelby Co., Iowa, 234
Political parties as a segregating influence in Shelby Co., Iowa, 94; chief consideration in, 95
Political Science, association for the promotion of, 155; encyclopedia of, 158; branches of, 155, 157
Political Science Association, The American, by Paul S. Reinsch, 155
Political Theory, a branch of Political Science, 157
Politics, a branch of Political Science, 155, 157
Politics, American, rich field of, 161
Politics, Daniel Webster's view of, 317
Polk County Republican convention, address of Governor Cummins before, 74
Polk Township (Shelby Co., Iowa), organization of, 89
Pontiac and Paint Creek Turnpike Company, act to incorporate the, 386
Poor, table showing expense of public support of, in Shelby Co., Iowa, 253; church aid for, 253
Population, rapid growth of urban, 199
Populist party in Shelby Co., Iowa, 228
Pottawattamie County, Mormons in, 85
Pratt, Mr., 354
Preamble of Constitution of Colorado, recognition of Supreme Being in, 265
Presbyterian churches in Shelby Co., Iowa, 229
Preston, Mr., 354
Princeton, graduates of, in first Congress, 29
Prohibition party in Shelby Co., Iowa, 228
Property, church, taxation of, 267
Protection, as an expedient, 332; supported by men of affairs, 332; the wisdom of the workshop, 332
Protective tariff, differences in Republican party of Iowa over interpretation of, 81; Gov. Cummins on, 74; Hon. Geo. D. Perkins on, 79; not to shelter monopolies, 72, 76; recognition of good accomplished by, 70
Pryce group of mounds, location and description of, 48
Publications, A Bibliography of Iowa State, for 1898 and 1899, by Margaret Budington, 399; Academy of Science, 400; Adjutant General, 401; Agriculture, 401; Attorney General, 401; Auditor, 402; Board of Control, 402; Custodian of Public Buildings, 402; Dairy Commission, 403; Executive Council, 403; Fish and Game Warden, 404; General Assembly, 404; Geological Survey, 407; Governor, 410; State Board of Health, 410; His-

Digitized by Google

torical Department, 412; Horticultural Society, 412; House of Representatives, 413; Improved Stock Breeders' Association, 413; Industrial School for Boys at Eldora, 414; Industrial School for Girls at Mitchelville, 414; Institution for Feeble-minded Children, 414; Bureau of Labor Statistics, 415; Land Department, 415; Mine Inspectors, 415; Oil Inspectors, 415; Penitentiary, Anamosa, 416; Penitentiary, Fort Madison, 416; Pharmacy Commission, 416; Pioneer Lawmakers Association, 416; Public Instruction, Department of, 416; Railroad Commissioners, 417; Secretary of State, 417; Senate, 418; Soldiers' Home, Marshalltown, 418; Soldiers' Orphans' Home, 418; State Agricultural College, 419; State Dairy Association, 420; State Historical Society, 421; State Library, 421; State Normal School, 421; State Teachers' Association, 422; State University, 422; Supreme Court, 427; Treasurer of State, 428; Veterinary Surgeon, 428; Weather and Crop Service, 429

Public Instruction (Iowa), Department of, bibliography of publications of, for 1898–1899, 416

Public opinion as a regulative power in community, 250

Pierce, President, criticised by the North, 481

Putnam, Mr., 353, 354

Putnam, Mrs. C. E., first State Regent of Daughters of the American Revolution in Iowa, 108

Quincy, Josiah, a member of Congress from Massachusetts, 334; on a bill for the admission of Louisiana, 334

Races, prehistoric, earthwork remains of, in Iowa, 39

Railroad Commissioners (Iowa), bibliography of publications of, for 1898–1899, 417

Railroad, in Shelby Co., Iowa, local tax for construction of, 242; main line of, 243

Ramsay, David, the historian of the Revolution, 19

Rapid Creek, mounds near, 54, 55, 57

Raymond, Col. Levi Beardsley, second president of the Iowa Society of the Sons of the American Revolution, 192

Read, George, one of Delaware's first Senators, 19

"Real Daughters" of the American Revolution in Iowa, 109

Recapitulation, theory of, 361

Reciprocity, the natural complement of protection, 70, 82; resolution on, in Iowa platform (1903), 79

Reform Club of New York City, The, 205; permanent value of work of, 205

Red Cross Society aided by Daughters of the American Revolution, 113

Red Oak (Iowa), work of the Daughters of the American Revolution at, 102

REINSCH, PAUL S., *The American Political Science Association*, 155

Reinsch, Paul S., a biographical note on, 311

Religion, comparative, an aid to Sociology, 358

Religious societies in Shelby Co., Iowa, early, 93, 94, 99

Representative Districts in Iowa, in 1846, 543, 547; in 1849, 547; in 1851, 551; in 1853, 555; in 1855, 558; in 1857, 561; in 1858, 564; in 1860, 569; in 1862, 572; in 1864, 575; in 1866, 577; in 1868, 580; in 1870, 583; in 1872, 1874, 587; in 1876, 1878, 1880, 591; in 1882, 1884, 595; in 1886, 1888, 599; in 1890, 600; in 1892, 1894, 1896, 1898, 1900, 601; in 1902, 1904, 602

Representatives, U. S., methods of choosing first, 4, 5; present method of choosing, 5; percentage of college graduates among first, 29

Republican National Convention (1896), on tariff and reciprocity, 71

Republican Party, departure of Iowa, from recognized tenets, 72, 79; "Iowa Idea" and, 79; historic policy of, 80;

Digitized by Google

differences in, in Iowa over the interpretation of policy of protection, 81; beginnings of, in Iowa, 474
Republican Party, Free Silver, in Shelby Co., Iowa, 228
Republican State Convention in Iowa (1901), tariff and trust resolutions of, 69; proposal and adoption of, 77; (1903) address of chairman of, 79
Republicans, attitude of, toward Dred Scott decision, 482; first, in Pennsylvania, 7
Republicans in Shelby Co., Iowa, 94, 100; German Lutherans in Shelby Township mainly, 227; organization of, 227
Resolutions, Kentucky and Virginia, 334
Revision of 1860 (Iowa), provisions of, relative to corporations, 496
Revolutionary soldiers, five, buried in Iowa, 103
Rhode Island, a single Representative in first Congress from, 5; U. S. Constitution adopted by, after it had gone into effect, 4; method of choosing Senators to first Congress in, 5, 24; first Senators from, 24
Rich, J. W., member of Executive Board of the Iowa Anthropological Association, 364
Richards, Mrs. Julian, State Regent of Daughters of the American Revolution, 104, 108
Richardson, Hon. George Herbert, fifth president of the Iowa Society of the Sons of the American Revolution, 192
Riley group of mounds, location and description of, 55
Roadman, Catherine M., an Iowa "Real Daughter" of the American Revolution, 109
Roberts, George E., *The Origin and History of the Iowa Idea*, 69
Roberts, George Evan, biographical note on, 152
Rock, J. F., one of the founders of the Amana Society, 162; early preaching of, 163; death of, 164
Roman Catholic settlement in Shelby Co., Iowa, 92, 96
Ronneberg, one of the earliest congregations of the Inspirationists at, 163; the home of Christian Metz, 167; mediæval castle at, home of Inspirationists for over 100 years, 171
Round Township (Shelby Co., Iowa), organization of, 88
Rousseau, the method of, 356
Rueschenberg, John, early settler in Shelby Co., Iowa, 87
Russia, number of settlers from, in Shelby Co., Iowa, 91
Ryan, Rev. Ira B., former Chaplain of the Iowa Society of the Sons of the American Revolution, 193
Saints, Latter Day, church of, in Shelby Co., Iowa, 229, 230
Sage, J. R., one of a committee to draft a constitution and by-laws for the Iowa Society of the Sons of the American Revolution, 191
Sargent, Winthrop, Secretary and acting-Governor of the Territory of the Northwest, 382
Sawyer, Iram Allen, 191
School fund, in Colorado, 267
Schools in Shelby Co., Iowa, rules for, 236
Schwarzenau, one of the first congregations of the Inspirationists at, 163; visit of Christian Metz to, 168; persecution of Inspirationists at, 170
Scotland, number of settlers from, in Shelby Co., Iowa, 91
Schuyler, Philip, one of New York's first U. S. Senators, 22
Scribner's Magazine, account of Smithsonian Institution in Jan., 1904, number of, 394
Seashore, Professor, 346
Secor, Willard, former treasurer of the Iowa Society of the Sons of the American Revolution, 193
Sedgwick, Theodore, 13

Digitized by Google

Sells, Mr., member of committee on incorporations in Iowa legislature, 485
Seneca Indians, trouble of Community of True Inspiration with, 175
Secretary of State (Iowa), bibliography of publications of, for 1898–1899, 417
Senate (Iowa), bibliography of publications of, for 1898–1899, 418
Senatorial districts in Iowa, in 1846, 543; in 1849, 547; in 1851, 551; in 1853, 555; in 1855, 557; in 1858, 563; in 1860, 567; in 1862, 570; in 1864, 573; in 1866, 576; in 1868, 578; in 1870, 582; in 1872, 585; in 1876, 589; in 1882, 593; in 1886, 1892, 1896, 1902, 597
Senators, U. S., first, from Georgia, 20; from South Carolina, 20; from Connecticut, 18; from Delaware, 19; from Maryland, 17; from Massachusetts, 13; from Virginia 11; from North Carolina, 23; from New Hampshire, 10; from New Jersey, 21; from New York, 22; from Pennsylvania, 8; from Rhode Island, 24; percentage of college graduates among, 29; two methods of electing, 5
Seneca Indian Reservation, purchased by the Community of True Inspiration in 1842, 174
Shakespeare, read by Webster, 327
Shambaugh, Benj. F., on *The Relation of Anthropological Work to Iowa History*, 362; member of Executive Board of the Iowa Anthropological Association, 364; author of *History of the Constitutions of Iowa*, 376
Shambaugh, Benj. F., *Assembly Districting and Apportionment in Iowa*, 520
Shambaugh, Benj. F., *Maps Illustrative of the Boundary History of Iowa*, 369
Shambaugh, Bertha H., maps illustrative of the boundary history of Iowa by, 376; maps of Indian mound groups by, 37, 38, 41, 43, 50, 53, 61; maps illustrative of assembly districting in Iowa by, 521
Shays' Rebellion, embers of, during first election under the Constitution, 12
Shelby County, A Sociological Study, by John J. Louis, 83, 218
Shelby County, the land, 83; the soil, 84; the population, 85; the local government, 88; the motives for settlement, 91; segregating influences, 94; unifying influences, 95; the family, 97; social aggregates, 218; social organs, 234; organs of protection, 235; organs for the production and exchange of wealth, 240; organs for the transmission of wealth, 242; organs for transportation, 242; the communicating system, 244; the regulating system, 247; social pathology, 251; causes of decrease in population of townships in, 89; coöperative associations in, 223; descriptions of, 83, 84; local tax for construction of railroads in, 243; no saloons in, 228; population of, table showing, 90; retired farmers in, 221; schools in, 222; spirit of sociability in, 95, 96
Shelby Township, German settlement of, 87; organization of, 89
Sheldon, Mr., 354
Shepard, Charles D., 191
Shepherd, Charles, a soldier of the Revolution, grave of, in Iowa, 104, 194, 195
Sherman, Roger, member of first congressional delegation from Connecticut, 18
Shrader, Mrs. Eliza A. Melvin, an Iowa "Real Daughter" of the American Revolution, 109
Sibley, Lucy Fellows, an Iowa "Real Daughter" of the American Revolution, 109
Sioux City, chapter of the Iowa Society of the Sons of the American Revolution at, 193
Sioux City Journal, editor of, 79

Digitized by Google

Slavata group of mounds, location and description of, 54
Slave case in Iowa, earliest, 471
Slave Law, the Fugitive, enactment of, 336
Slavery, question of, attitude of Iowa toward, 484
Slavery in Early Iowa, The Negro and, by Louis Pelzer, 471; encouraged in Iowa by settlers from the South, 473; defined by Senator Harlan, 479; expression of Iowa legislature on, 480
Smith, Jeremiah, elected to Legislative Council (Mich.) in 1835, 524
Smith, Wm., one of South Carolina's first Representatives, 19, 20
Smith, A. G., member of Executive Board of the Iowa Anthropological Association, 364
Smith, Sidney, characterization of Daniel Webster by, 320
Smithsonian Institution, 356; account of, in *Scribner's Magazine* for January, 1904, 394
Social organs in Shelby Co., Iowa, 234
Sociology, relation of, to Anthropology, 356, 357, 358
Soldiers' Home (Iowa), bibliography of publications of, for 1898-1899, 418
Soldiers' Orphans' Home (Iowa), bibliography of publications of, for 1898-1899, 418
Some Phases of Corporate Regulation in the Territory of Iowa, by Frank E. Horack, 381
Some Phases of Corporate Regulation in the State of Iowa, by Frank E. Horack, 485
Sons of the American Revolution, The Iowa Society of the, by Elbridge Drew Hadley, 188
Sons of the American Revolution, The Iowa Society of the, objects of, set forth in constitution, 188; requirements for membership in, 189; organization of, 190; names of those present at first meeting of, 190; list of first members admitted to, 191; former officers of, 192–198; local chapters of, 198; activity of, during Spanish-American War, 194; bronze tablet placed in Iowa Hall of History by, 195; purpose of the organization of, 197
Soper, Capt. Erastus Burrows, first treasurer of the Iowa Society of the Sons of the American Revolution, 192
South, early voting place in, 29; charity for erring brothers of, 334
South Carolina, first electors under the Constitution chosen by the legislature, 4; first Representatives in Congress chosen by districts, 4, 19; first U. S. Senators from, 20; the parish church as a polling place in, 29
Sovereignty, idea of divided, difficult of comprehension, 335
Sparling, Samuel Edwin, *The League of Wisconsin Municipalities*, 199
Sparling, Samuel Edwin, a biographical note on, 312
Spaulding, Bishop John F., chaplain of Colorado constitutional convention, 258
Spencer, Herbert, 357; definition of Education by, 359
Spirit of '76, The, 110
Springer, Mr., member of committee on incorporations, 485
Sprague, Hon. Damon Noble, former president of the Iowa Society of the Sons of the American Revolution, 192
Stanton, Joseph, Jr., one of Rhode Island's first U. S. Senators, 24
Stanton, Fred J., enrolling and engrossing clerk of Colorado constitutional convention, 261
Starr, Frederick, 354
State, the, placed by some above the nation, 335
State constitutional history, political value of, 257
State history, importance of study of, 274; failure of States to adequately

Digitized by Google

preserve materials of, 274; study of, in the West, 256
State Historical Society of Iowa, the desirable coöperation between Daughters of the American Revolution and, 106
Stock Association, The Fine, of Shelby Co., Iowa, 246
Stock Breeders' Association (Iowa), bibliography of publications of, for 1898–1899, 413
Strong, Albert, 191
Strong, Caleb, first Senator from Massachusetts, 13
Suffrage, electorate increased by popularization of, 31; in the constitutional convention of Colorado, 266
Sullivan, Major-General John, 9
Sunier group of mounds, location and description of, 57
Supreme Court (Iowa), bibliography of publications of, for 1898–1899, 427
Survey, An Anthropological, of Some Iowa Mounds, by Duren J. H. Ward, 34
Survey, Anthropological, of Iowa, discussed, 364
Survey, U. S. Geological, aid of, to American Archæology, 364
Swalm, Col. Albert Winfield, third president of the Iowa Society of the Sons of the American Revolution, 192
Sweden, number of settlers from, in Shelby Co., Iowa, 91
Sweeney group of mounds, location and description of, 66
Switzerland, number of settlers from, in Shelby Co., Iowa, 91; work of the early Inspirationists in, 163
Symes, John Cleves, judge in the Northwest Territory, 382
Tariff, the, views of Webster on, 330; resolution of Iowa Republican State convention (1901) on, 69; intention of Iowa resolutions on, 70, 71; resolution on, by Senator Allison (1903) 78
Taxation, of church property, 267; rate of, in Colorado, 268
Teachers' Association (Iowa), State, bibliography of publications of, for 1898–1899, 422
Teas, Joseph B., elected to legislative Council (Mich.) in 1835, 524
Telephone system in Shelby Co., Iowa, 245
Tepee bottom, some mounds probably used as, 42, 55
Territory of Iowa, evils of special acts of incorporation in, 392
Territory of Iowa, Some Phases of Corporate Regulation in the, by Frank E. Horack, 381
Terrell Mill group of mounds, location and description of, 52, 54; map of, 53
Texas, project for annexation of, 334
Thorndike, Professor, on the lack of reproductive tendency in college-bred classes, 346
Thorpe, Francis N., quoted on the political value of State constitutional history, 257
Tilden, Samuel J., and the electoral vote of Colorado, 270
Timothy Brown American Revolution Memorial Association, 104
Trade, an act for the regulation of, in the Northwest Territory, 382
Treasurer of State (Iowa), bibliography of publications of, for 1898–1899, 428
Trumbull, Jonathan, candidate for Speaker of first House of Representatives, 18
Trusts, resolutions of Iowa Republican State convention (1901) on, 69; intention of Iowa resolutions on, 72; resolutions on, by Senator Allison (1903), 78
Turkey Creek group of mounds, location and description of, 64
Turnpike Company, Pontiac and Paint Creek, act to incorporate, 386
Turner, George, judge in the Northwest Territory, 382

Digitized by Google

Turneaure, Dean of Wisconsin College of Engineering, papers read by, before the League of Wisconsin Municipalities, 209
Underground Railroad, the, in Iowa, 479; route of, 480
Union churches in Shelby Co., Iowa, 229
United Brethren churches in Shelby Co., Iowa, 229
University of Agriculture, The National, by JESSE MACY, 394
University (Iowa), State, bibliography of publications of, for 1898–1899, 422
Valley Forge, proposition to convert, into national park, 112
Van Buren, 329
Van Vleck, Mrs. Electa N., an Iowa "Real Daughter" of the American Revolution, 109
Veterinary Surgeon (Iowa), bibliography of publications of, for 1898–1899, 428
Vice-President, electoral vote for, 26; office of, claims of North on, 25
Vinton, Mr., remarks of, on boundaries of Iowa, 374
Virginia, requisition of Governor of, for surrender of Barclay Coppoc, 488
Virginia, duties and penalties of first electors of, 10; first electoral vote of, 12; first electors under the Constitution elected by popular vote in, 4, 10; first Representatives in Congress chosen by districts in, 5, 10; first U. S. Senators from, 11; Madison, member of first congressional delegation from, 11; political manœuvering marking first elections under the Constitution, 11; viva voce vote in, 29
Virginia, Kentucky and, Resolutions, 334
Vittum, Rev. Edmund March, first chaplain of the Iowa Society of the Sons of the American Revolution, 193
Voice in the Wilderness, The, a Danish publication in Shelby Co., Iowa, 245
Wakefield, Judge Geo. W., former historian of the Iowa Society of the Sons of the American Revolution, 193
Wapello, chapter of the Iowa Society of the Sons of the American Revolution at, 193
Wapello County, history of, by Elizabeth Ross chapter of Daughters of the American Revolution, 114
War of 1812, opposed by Webster, 329
WARD, DUREN J. H., *Some Iowa Mounds—An Anthropological Survey*, 34
WARD, DUREN J. H., *First Yearly Meeting of the Iowa Anthropological Association*, 342
Ward, Duren J. H., survey of mounds by, 354, 358; elected Secretary of the Iowa Anthropological Association, 363; anthropological survey, endorsed by the Iowa Anthropological Association, 364
Ward, Duren J. H., biographical note on, 152
Washington, George, universal demand for, as first President of United States, 24, 26; statue of, presented to France, 111; 330
Washington Manufacturing Company, an act to incorporate the, 390
Washington Township (Shelby Co., Iowa), German settlement of, 87; organization of, 89
Weather and Crop Service (Iowa), bibliography of publications of, for 1898–1899, 429
Weaver, Mrs. Julia Ann Warrington, an Iowa "Real Daughter" of the American Revolution, 109
Weber, G. A., one of the committee to select a home for the Inspirationists in America, 173
Weber, F., one of the committee of four to select a new home for the Inspirationists in the West in 1854, 178
Webster, Daniel, by HORACE E. DEEMER, 315
Webster, Daniel, difficulty of depicting character of, 315; contemporary repu-

Digitized by Google

tation of, 315; too great to be President, 315; reputation of, marred by "Seventh of March" speech, 316; Theo. Parker's view of, 317; Whittier's lament on the death of, 317; disappointments of, 317; moral fiber of, 317; defects of, 317, 318; personal attributes and characteristics of, 318, 319, 320; the make-up of, a physical embodiment of the Federal Union, 319; characterization of, by Mr. Carlyle, 319, 320; characterization of, by Mr. Parton, 319; characterization of, by Sidney Smith, 320; personality of, 321; mind of, synthetic and analytic, 321; a great student of history, 321; contrasted with Hamilton, 321; preëminence of, at the bar, 322; Clerk of County Court, 322; an "all around lawyer," 322; ablest expounder of the Constitution, 322; coöperated with Marshall, 322, 323; view of Law and Politics, 317; argument in case of McCullogh vs. Maryland, 325; on the "March of the Constitution," 326; the leader of the bar, 326; as a great orator, 327, 328; appeal of, in Dartmouth College case, 328; reply of, to Hayne, 328; born in the Federalist party, 328; a Whig, 329; embargo act opposed by, 329; war of 1812 opposed by, 329; discountenanced Hartford Convention, 329; favored a United States bank, 329; favored internal improvements, 329; favored force bill, 330; a member of the President's cabinet, 330; view of, on the tariff, 330, 331; charged with inconsistency on the tariff question, 331, 332; the exponent of Nationalism, 333; reply of, to Hayne's first address, 337; attitude of, before reply to Hayne, 338; resumé of the reply of, to Hayne, 339; effect of speech of, in reply to Hayne, 340; not the first to give voice to the doctrine of Nationalism, 340; apology for "Seventh of March" Speech, 341; "Liberty and Union" the message of, to all time, 341

Weeks, Representative, guest at dinner of the Iowa Anthropological Association, 351

Weisman, 361

Western American, The, rare old file of, 103

Westphalia (Shelby Co., Iowa), Catholic church at, 229; German vote conspicuously Democratic in, 227; motives prompting settlement of, 92; Roman Catholic school at, 222; typical wedding in, 232

Westphalia Township (Shelby Co., Iowa), German colony in, 86, 87; organization of, 89

Wheeler, Hon. William Henry, fourth president of the Iowa Society of the Sons of the American Revolution, 192

Whig party in Iowa, early attitude of, on slavery question, 474; attitude of, toward Missouri Compromise, 477

Whittier, John G., lament over the death of Daniel Webster, 317

Winckelmann, 347

Wickmark, Jonas, an early Inspirationist preacher, 163

Wilder, F. A., address of, on *The Light that Physiographic Studies Throw on Anthropological Problems*, 343

Wilmot Proviso, an issue in campaign of 1849–1850 in Iowa, 474

Wilson, James, elector from Pennsylvania, 8

Wilson, James, first Secretary of Department of Agriculture, 395, 397

Wilson, J. C., president of Colorado constitutional convention, 261

Wingate, Paine, one of New Hampshire's U. S. Senators, 10

Winzenried, C. M., one of the business managers of Inspirationists in 1835–40, 172; one of the committee of four to select a new home for the Inspirationists in the West, 178, 179

Digitized by Google

Wisconsin, first census of the Territory of, 524; first apportionment of members of Legislative Assembly of, 526
Wisconsin, efforts of, to preserve Indian mounds in, 68; celebration of fiftieth anniversary of the State of, 206
Wisconsin, Free Library Commission of, library of, on municipal government, 212
Wisconsin, League of municipalities of, 207; origin of, 207; objects and purposes of, 207; services of, 208; membership of, 208; conferences of, 208, 209; central bureau of information of, 210; official organ of, 210, 211; books recommended by, 211; efforts of, in preventing undesirable legislation, 213; efforts of, in securing desirable legislation, 213, 214; program of, 215; results secured by, 216; future promise of, 216
Wisconsin, Territory of, established in, 1836, 386; numerous acts of incorporation passed by legislature of, 387; established in 1836, 371; boundaries of, 371; map of, in 1836, 378
Wisconsin Municipalities, The League of, by SAMUEL EDWARD SPARLING, 199
Wittmer, J., one of the committee appointed by the Community of True Inspiration to seek a new home in Iowa, 178, 179
Woman's Christian Temperance Union in Shelby Co., Iowa, 234
Woman's Union, The, a village improvement league in Shelby Co., Iowa, 234
Woman suffrage in Colorado, 266, 267
Woodward, Wm. G., code commissioner to compile the Iowa Code of 1851, 491
Woodmen of the World, in Shelby Co., Iowa, 232
Woodruff, Clinton Rogers, services of, as secretary of the National Municipal League, 204
Yale, graduates of, in first Congress, 29
Yeris group of mounds, location and description of, 67
Zimmerman, Emil, early settler in Shelby Co., Iowa, 87
Zürich, early Inspirationists publicly lashed through the streets of, 164

Digitized by Google

INDEX TO PUBLICATIONS NOTICED

NOTE—The titles of publications noticed are printed in *italics*. The names of persons writing the notices are printed in SMALL CAPITALS.

Academy of Sciences for 1903, Proceedings of the Iowa, by T. J. FITZPATRICK, 613; the same for 1902, 289

Administration of Iowa, The, A Study in Centralization, by Harold Martin Bowman, by BENJAMIN F. SHAMBAUGH, 118

Agriculture, The Iowa Year Book of, issued by Ia. Dept. of Agriculture, by T. J. FITZPATRICK, 607

America, Historic Highways of, by Archer Butler Hulbert, by FRANK E. HORACK, 120

America, Historic Highways of, by Archer Butler Hulbert, by MARGARET BUDINGTON, 286

American City, The, A Problem in Democracy, by Delos F. Wilcox, by FRANK EDWARD HORACK, 609

American Historical Association, Annual Report of, for the Year 1902, by Paul S. Peirce, 430

American Railway Transportation, by Emory R. Johnson, by JACOB ELON CONNER, 277

Arnold's March from Cambridge to Quebec—A Critical Study Together with a Reprint of Arnold's Journal, by Justin H. Smith, by WILLIAM CRAIG WILCOX, 275

Beardshear, William Miller, *A Boy Again and Other Prose Poems*, by GEORGE E. MACLEAN, 604

Beckwith, H. W., *Collections of the Illinois State Historical Library, Vol. I*, by LAENAS GIFFORD WELD, 116

Black Hawk War, The, by Frank E. Stevens, by DUREN J. H. WARD, 438

Blanchard, Rufus, *Documentary History of the Cession of Louisiana to the United States*, by F. H. GARVER, 285

Board of Control, *Bulletin of Iowa State Institutions*, by ISAAC A. LOOS, 284

Bowman, Harold Martin, *The Administration of Iowa, a Study in Centralization*, by BENJAMIN F. SHAMBAUGH, 118

Boy Again, and Other Prose Poems, A, by William Miller Beardshear, by GEORGE E. MACLEAN, 604

BUDINGTON, MARGARET, *Historic Highways of America*, by Archer Butler Hulbert, 286

Iowa Official Register, compiled by W. B. Martin, 432

Bulletin of Iowa State Institutions, edited by the Board of Control, by ISAAC A. LOOS, 284

Check List of the Publications of the State of Iowa, by Lavina Steele, by T. J. FITZPATRICK, 440

Chittenden, Hiram Martin, *History of Early Steamboat Navigation on the Missouri River*, by F. H. GARVER, 280

City, The American, A Problem in Democracy, by Delos F. Wilcox, by FRANK EDWARD HORACK, 609

CONNER, JACOB ELON, *Railways in the United States in 1902*, issued by the Interstate Commerce Commission, 121; *American Railway Transportation*, by Emory R. Johnson, 277

Cromwell, Arthur D., *Students' Outline of the History of the United States*, by FRANK E. HORACK, 282

Democracy, A Problem in, The American

Digitized by Google

City, by Delos F. Wilcox, by FRANK EDWARD HORACK, 609

Documentary History of the Cession of Louisiana to the United States, by Rufus Blanchard, by J. H. GARVER, 285

Forestry Association, The Iowa Park and, published by the Association, by T. J. FITZPATRICK, 610

FITZPATRICK, T. J., *Proceedings of the Iowa Academy of Sciences for 1902*, edited by the Secretary, 289; *Check List of the Publications of the State of Iowa*, by Lavina Steele, 440; *The Iowa Year Book of Agriculture*, issued by the Ia. Dept. of Agriculture, 607; *Proceedings of the Iowa Park and Forestry Association*, published by the Association, 610; *Proceedings of the Iowa Academy of Sciences for 1903*, edited by the Secretary, 618

Freedmen's Bureau, The, by Paul S. Peirce, by KARL F. GEISER, 435

GARVER, F. H., *History of Early Steamboat Navigation on the Missouri River*, by Hiram Martin Chittenden, 280; *Documentary History of the Cession of Louisiana to the United States*, by Rufus Banchard, 285

GEISER, KARL F., *Freedmen's Bureau*, by Paul S. Peirce, 435

Historic Highways of America, by Archer Butler Hulbert, by FRANK E. HORACK, 120

Historic Highways of America, by Archer Butler Hulbert, by MARGARET BUDINGTON, 286

History of the Cession of Louisiana to the United States, Documentary, by Rufus Blanchard, by F. H. GARVER, 285

History of Early Steamboat Navigation on the Missouri River, by Hiram Martin Chittenden, by F. H. GARVER, 280

History of the Mississippi Valley from its Discovery to the End of Foreign Domination, by John R. Spears, by LAENAS GIFFORD WELD, 125

History of the Seventh Iowa Veteran Volunteer Infantry During the Civil War, by H. I. Smith, by J. W. RICH, 124

History of the United States, Select Statutes and Other Documents Illustrative of the, edited by William MacDonald, by BENJAMIN F. SHAMBAUGH, 122

History of the United States, Students' Outline for the, by Arthur D. Cromwell, by FRANK E. HORACK, 282

HORACK, FRANK E., *Historic Highways of America*, by Archer Butler Hulbert, 120; *Trust Finance, a Study of the Genesis, Organization and Management of Industrial Combinations*, by Edward Sherwood Meade, 123; *Students' Outline for the History of the United States*, by Arthur D. Cromwell, 282; *Transactions of the Illinois State Historical Society for the Year 1903*, 287; *The United States and Porto Rico*, by L. S. Rowe, 437; *The American City: a Problem in Democracy*, by Delos F. Wilcox, 609

How George Rogers Clark Won the Northwest, and Other Essays in American History, by Reuben Gold Thwaites, by H. G. PLUM, 612

Hulbert, Archer Butler, *Historic Highways of America*, by FRANK E. HORACK, 120

Hulbert, Archer Butler, *Historic Highways of America*, by MARGARET BUDINGTON, 286

Illinois State Historical Library, Collections of the, Vol. I, by H. W. Beckwith, by LAENAS G. WELD, 116

Illinois State Historical Society for the Year 1903, Transactions of the, by FRANK E. HORACK, 287

Infantry, History of the Seventh Iowa Veteran Volunteer, During the Civil War, by H. I. Smith, by J. W. RICH, 124

Iowa Academy of Sciences for 1902,

Digitized by Google

Proceedings of, edited by the Secretary, by T. J. FITZPATRICK, 289

Iowa Academy of Sciences for 1903, Proceedings of the, edited by the Secretary, by T. J. FITZPATRICK, 613

Iowa, The Administration of, A Study in Centralization, by Harold Martin Bowman, by BENJAMIN F. SHAMBAUGH, 118

Iowa Official Register, by W. B. Martin, by MARGARET BUDINGTON, 432

Iowa Park and Forestry Association, Proceedings of the, published by the Association, by T. J. FITZPATRICK, 610

Iowa State Institutions, Bulletin of, edited by the Board of Control, by ISAAC A. LOOS, 284

Iowa Year Book of Agriculture, The, issued by Iowa Dept. of Agriculture, by T. J. FITZPATRICK, 607

Johnson, Emory R., *American Railway Transportation*, by JACOB ELON CONNER, 277

LOOS, ISAAC A., *Bulletin of Iowa State Institutions*, edited by the Board of Control, 284

Lonisiana to the United States, Documentary History of the Cession of, by Rufus Blanchard, by F. H. GARVER, 285

MacDonald, William, *Select Statutes and Other Documents Illustrative of the History of the United States*, by BENJAMIN F. SHAMBAUGH, 122

MACLEAN, GEORGE E., *A Boy Again, and Other Prose Poems*, by William Miller Beardshear, 604

Martin, W. B., *Iowa Official Register*, by MARGARET BUDINGTON, 432

Meade, Edward Sherwood, *Trust Finance, a Study of the Genesis, Organization, and Management of Industrial Combinations*, by FRANK E. HORACK, 123

Mississippi Valley, History of the, from its Discovery to the End of Foreign Domination, by John R. Spears, by LAENAS GIFFORD WELD, 125

Missouri River, History of Early Steamboat Navigation on the, by Hiram Martin Chittenden, by F. H. GARVER, 280

Northwest and Other Essays in Western History, How George Rogers Clark Won the, by Reuben Gold Thwaites, by H. G. PLUM, 612

Official Register, Iowa, compiled by W. B. Martin, by MARGARET BUDINGTON, 432

Park and Forestry Association, The Iowa, published by the Association, by T. J. FITZPATRICK, 610

PEIRCE, PAUL S., *Annual Report of the American Historical Association for the Year 1902*, 430

Peirce, Paul S., *The Freedmen's Bureau*, by KARL F. GEISER, 435

Pepper, William, M.D., L.L.D., Provost of the University of Pennsylvania, by Frances Newton Thorpe, by BENJAMIN F. SHAMBAUGH, 279

PLUM, H. G., *How George Rogers Clark Won the Northwest, and Other Essays in Western History*, by Reuben Gold Thwaites, 612

Political Theories of the Ancient World, The, by W. W. Willoughby, by BENJ. F. SHAMBAUGH, 434

Porto Rico, The United States and, by L. S. Rowe, by FRANK E. HORACK, 437

Proceedings of the Iowa Academy of Sciences for 1902, edited by the Secretary, by T. J. FITZPATRICK, 289

Proceedings of the Iowa Academy of Sciences for 1903, edited by the Secretary, by T. J. FITZPATRICK, 613

Proceedings of the Iowa Park and Forestry Association, published by the Association, by T. J. FITZPATRICK, 610

Railways in the United States in 1902, issued by the Interstate Commerce Commission, by JACOB ELON CONNER, 121

Railway Transportation, American, by

Digitized by Google

Emory R. Johnson, by JACOB ELON CONNER, 277

RICH, J. W., *History of the Seventh Iowa Veteran Volunteer Infantry, During the Civil War*, by H. I. Smith, 124

Rowe, L. S., *The United States and Porto Rico*, by FRANK E. HORACK, 437

Select Statutes and Other Documents Illustrative of the History of the United States, 1861–1898, edited by William MacDonald, by BENJAMIN F. SHAMBAUGH, 122

SHAMBAUGH, BENJAMIN F., *The Administration of Iowa, a Study in Centralization*, by Harold Martin Bowman, 118; *Select Statutes and Other Documents Illustrative of the History of the United States*, edited by William MacDonald, 122; *William Pepper, M.D., L.L.D., Provost of the University of Pennsylvania*, by Francis Newton Thorpe, 279; *The Political Theories of the Ancient World*, by W. W. Willoughby, 434

Smith, H. I., *History of the Seventh Iowa Veteran Volunteer Infantry, During the Civil War*, by J. W. RICH, 124

Smith, Justin H., *Arnold's March from Cambridge to Quebec—A Critical Study Together with a Reprint of Arnold's Journal*, by WILLIAM CRAIG WILCOX, 275

Spears, John R., *A History of the Mississippi Valley from its Discovery to the End of Foreign Domination*, by LAENAS GIFFORD WELD, 125

Steamboat Navigation on the Missouri River, History of Early, by Hiram Martin Chittenden, by F. H. GARVER, 280

Steele, Lavina, *Check List of the Publications of the State of Iowa*, by T. J. FITZPATRICK, 440

Stevens, Frank E., *The Black Hawk War*, by DUREN J. H. WARD, 438

Thorpe, Francis Newton, *William Pepper, M.D., L.L.D., Provost of the University of Pennsylvania*, by BENJAMIN F. SHAMBAUGH, 279

Thwaites, Reuben Gold, *How George Rogers Clark Won the Northwest, and Other Essays in Western History*, by H. G. PLUM, 612

Transactions of the Illinois State Historical Society for the Year 1903, etc., by FRANK E. HORACK, 287

Trust Finance, a Study of the Genesis, Organization, and Management of Industrial Combinations, by Edward Sherwood Meade, by FRANK E. HORACK, 123

United States, Documentary History of the Cession of Louisiana to the, by Rufus Blanchard, by F. H. GARVER, 285

United States and Porto Rico, The, by L. S. Rowe, by FRANK E. HORACK, 437

United States, Students' Outline for the History of the, by Arthur D. Cromwell, with an Introduction by Albert Bushnell Hart, by FRANK E. HORACK, 282

WARD, DUREN J. H., *The Black Hawk War*, by Frank E. Stevens, 438

WELD, LAENAS GIFFORD, *Collections of the Illinois State Historical Library*, Vol. I, edited and annotated by H. W. Beckwith, 116; *A History of the Mississippi Valley from its Discovery to the End of Foreign Domination*, by John R. Spears, 125

Western History, How George Rogers Clark Won the Northwest and Other Essays in, by Reuben Gold Thwaites, by H. G. PLUM, 612

Willoughby, W. W., *The Political Theories of the Ancient World*, by BENJ. F. SHAMBAUGH, 434

WILCOX, WILLIAM CRAIG, *Arnold's March from Cambridge to Quebec—A Critical Study Together with a Reprint of Arnold's Journal*, by Justin H. Smith, 275

Digitized by Google

INDEX TO NOTES AND COMMENT

NOTE—Titles of articles, addresses, and publications are printed in *italics*

Academy of Science and Letters of Sioux City, The, an account of by F. H. Garver, 142; first volume of *Proceedings* of, 618

Academy of Sciences, Iowa, an account of, by T. J. Fitzpatrick, 305, 306, 307; organization of, 305; meeting of, 305, 306; publications of, 307, 308

Aldrich, Charles, elected honorary member of the Historical Society of Linn County, 455; plans of, for the Iowa Hall of History, 131; gold medal awarded to, 616

Algona, celebration of the 50th anniversary of the settlement of Kossuth County held at, 615

Allen, J. H., member of State Historical Society of Iowa, 457

Amana Community, survey of mounds in vicinity of, 457

American Citizenship, address by Senator Hoar on, 127

American Commonwealth Series, volume on *Rhode Island* in, 452

American Historical Association, special session or round table at Chicago meeting of, to be devoted to State and local historical societies, 291, 617

American History and Institutions, Iowa students in seminar of, at Harvard, 133

Amos, Andrew, author of *The Corporation Problem and The Doctrine of the Law of Shares*, 296

Anderson, Lew W., Treasurer of the Historical Society of Linn County, 454

Annals of Iowa (1st series), duplicate copies of, 458

Annals of Iowa (3d series), index to, by Miss Steele, 615; articles in October, 1903, number of, 129; account of old Fort Des Moines in, 129; contents of January, 1904, number of, 292

Annals of the American Academy of Political and Social Science, contents of January, 1904, number of, devoted to *Tariff Problems*, 293

Anthropological Association, The Iowa, an account of, by D. J. H. Ward, 143; a pamphlet relative to, 291

Anthropology, recommendation of the jury of the department of, at St. Louis, 616

Appropriations, for the State Historical Society of Iowa, 461

Archæological Institute of America, The Iowa Society of the, an account of, by B. F. Shambaugh, 146; committee of, on the preservation of the ruins of American antiquity, 620

Archives of the Government of the United States in Washington, A Guide to, 299

Argentina, The Animal Industry of, U. S. Government report by Frank W. Bicknell on, 130

Argentina, Indian Corn in, monograph on, by F. W. Bicknell, 293

Auxiliary membership in the State Historical Society of Iowa, 459, 460

Bancroft, George, address of, on Abraham Lincoln, 459

Beardsley, John, secretary of Associated Charities of Des Moines, 295

Digitized by Google

Beardsley, Dr., 295
Beckman, F. W., editor on *Register and Leader*, 133
Berryhill, J. G., an address by, on *The Joseph Chamberlain Tariff Policy and its Effect Upon the United States*, 299
Bibliography of Iowa State Publications for 1902 and 1903, A, by Margaret Budington, 131
Bibliography of Iowa public documents compiled by the State Historical Society of Iowa, 134
Bicknell, Frank W., author of *The Animal Industry of Argentina*, 130, and *Indian Corn in Argentina*, 298; editor of *The Mail and Times*, 620
Blackmar, E. C., Secretary of the Hawkeye Pioneer Association, 295
Blaine, James G., address on James A. Garfield by, 459
Block Houses in the Civil War, an article by G. M. Dodge in *Annals of Iowa*, 292
Board of Health, Iowa State statistics in report of, 135
Boies, Horace, member of State Historical Society of Iowa, 457
Bolton, F. E., a paper by, on *Facts and Fictions Concerning Educational Values*, 292; paper by, on *Imitation*, 297
Boundaries of Colorado, The, an article on, by Professor F. L. Paxson, 615
Bowman, Harold M., author of *The Administration of Iowa*, elected to a position at Dartmouth College, Hanover, New Hampshire, 134
Bowman, John G., university editor of *The Iowa Alumnus*, 298
Boynton, F. H., Director of the Lucas County Historical Society, 455
Brewer, Luther A., Vice-president of the Historical Society of Linn County, 454
Brigham, Johnson, article on *Iowa* by, in *Encyclopedia Americana*, 128
Brown, Margaret W., Curator of the Lucas County Historical Society, 455; member of the State Historical Society of Iowa, 620
Brown, Mrs. H. I., Secretary of Sioux City Associated Charities, 302
Budington, Margaret, *A Bibliography of Iowa State Publications for 1902 and 1903* by, 131; acting librarian of the State Historical Society of Iowa, 459
Bulletin of Information, issued by the State Historical Society of Iowa, 457; No. 3, on *Suggestions to Public Libraries and Local Historical Societies*, 619
Burbank, Mrs. E. D., paper by, on *The Iowa Daughters of the American Revolution*, 130
Bureau of Historical Research, A, an account of, by A. C. McLaughlin, 303, 304, 305; Director of, 304; present activities of, 304; a *Guide to the Archives of the Government of the United States in Washington* issued by, 299
Burkhalter, Dr. E. R., paper read by, before the Historical Society of Linn County, 616
Byers, W. H., Curator of State Historical Society of Iowa, 459
Caldwell, Mayor of Sioux City, 300
Calvin, Samuel, loving cup presented to, by former students, 453
Campbell, William J., work on St. Memin portraits by, 451
Capitol of Iowa, The, an address by Peter A. Dey, 293
Capitol, Iowa, fire in, 298
Carnegie Institution of Washington, D. C., bureau of historical research in connection with, 303; purposes of, 303; *Year Book No. 2* of, 295; a *Guide to the Archives of the Government of the United States in Washington* issued by, 299
Catholic Church in Council Bluffs, Iowa, pamphlet on, by John F. Kempker, 450
Cedar Rapids, celebration of the 50th anniversary of, contemplated, 451

Digitized by Google

Certificates of membership issued to members of the State Historical Society of Iowa, 459
Chandler, Rev. S. L., Director of Sioux City Associated Charities, 302
Charities and Corrections, The Sixth State Conference of, by C. W. Wassam, 148
Charities of Des Moines, Associated, *Twelfth Annual Report* of, 295
Check list of the printed public documents of the State of Iowa prepared by Miss Lavina Steele, 127
Child Labor in Iowa, proposed bill regulating, 133
Civil Service in Municipalities, title of an address by C. N. Gregory, 615
Civilization and the Law, title of an address by Emlin McClain delivered before Kentucky Bar Association, 292
Clay, Henry, title of an address before the Grant Club by John F. Lacey, 299; by Harry Noland, 299
Clark, E. E., member of State Historical Society of Iowa, 457
Clark, J. C., Director of Madison County Historical Society, 456
Cohen, Mrs. J. M., Director of Sioux City Associated Charities, 302
Collections of the Wisconsin Historical Society, reprint of Vol. I of, 453
Collector, T. J. Fitzpatrick employed as, by the State Historical Society of Iowa, 620
College for the Blind, Iowa State, bronze tablet placed in, as a memorial to Capt. Thomas Drummond, 451, 297
Colonial Dames of America, Iowa Society of, prize offered by, for best essay in Iowa history, 294, 617; award of, in 1903, 128; award of, in 1904, 453; titles of essays submitted in competition for, 618
Colonial Wars, Iowa Society of, 460
Compulsory Insurance in Germany, a paper by I. A. Loos read before the Iowa Political Science Club, 297
Conference of Historical Societies at St. Louis, the, an account of, 622
Congress, 54th and 55th, documents of, received by the Library of the State Historical Society of Iowa, 457
Congress of Arts and Sciences at St. Louis, addresses at, by C. N. Gregory, 615; address at, by Emlin McClain, 617
Conner, J. E., instructor in the Wharton School of Finance and Economy, University of Pennsylvania, 139; article by, on *Industrial Changes that have Influenced American Tariff Problems*, 298
Cook, Roy A., member of State Historical Society of Iowa, 457
Constitutional History of the United States, A Short, by Dr. F. N. Thorpe, 616
Corporation Problem and the Doctrine of the Law of Shares, The, an essay on, by Andrew Amos, 296
Council Bluffs, Catholic Church in, a pamphlet on, by John F. Kempker, 450
Crawford, Esther, teacher in Iowa Summer School for Library Training, 294
Cummins, A. B., accepts memorial to Capt. Drummond on behalf of State of Iowa, 451; appointment of Curators of State Historical Society of Iowa by, 459
Curtis, Francis, author of *The Republican Party*, 298
Daughters of the American Revolution (Iowa), 460; bronze Tablet to memory of five Iowa Revolutionary soldiers erected by, 128; marking site of old Ft. Des Moines by Abigail Adams chapter of, 131
Daughters of the American Revolution, National Society of, Mrs. J. P. Dolliver appointed Historian-General of, 127
Davenport, Free Public Library of, dedication of, 450

Digitized by Google

Decatur County Historical Society, The, an account of, 621; constitution and by-laws of, 621
Deemer, Judge Horace E., lectures at State University by, 128
Department of Archives and History of the State of Mississippi, Second Annual Report of the Director of the, 458
Des Moines, Associated Charities of, Twelfth Annual Report of, 295
Development of the Common Law, The, a course of lectures on, by Sir Frederick Pollock, 129
Devendorf, Thomas, Director of the Historical Society of Linn County, 454
Dey, Peter A., address on *The Capitol of Iowa* by, 298; President of the State Historical Society of Iowa, 459
Dillon, John F., elected honorary member of the Historical Society of Linn County, 455; dedicatory address by, at dedication of the Davenport Free Public Library, 450
Dodge, Major General G. M., biographical sketch of Gen. James A. Williamson by, 129; article by, in *Annals of Iowa*, 292
Donnan, William G., article by, in *Annals of Iowa*, 292
Dolliver, Mrs. J. P., 130; appointed to the office of Historian-General of the National Society of the Daughters of the American Revolution, 127
Drake, Francis M., an account of, by B. F. Shambaugh, 138
Drummond, Thomas, bronze tablet as memorial to, presented to State of Iowa, 451; inscription on memorial tablet to, 297
Duffield, Geo. C., article on *An Iowa Settlers' Homestead* in *Annals of Iowa* for October, 1903, by, 129; *Frontier Church Going* by, 292
Dungan, Warren S., President of Lucas County Historical Society, 455
Dunshee, T. M., Director of the Lucas County Historical Society, 455
Dutcher, L. W., business manager of *The Iowa Alumnus*, 298
Early Days on Middle River, a paper on, by W. S. Wilkinson, 456
Early Iowa and the Pioneers, title of an address delivered by Benj. F. Shambaugh at the annual meeting of the Lucas County Historical Society, 450
Education as Related to Life, title of S. U. I. commencement address by, Geo. D. Perkins, 450
Egan, Geo. W., member of the State Historical Society of Iowa, 620
Eichelberger, Dr. Agnes, Vice-President of Sioux City Associated Charities, 302
English Education Acts, The, title of an address by Professor T. Gregory Foster, 130
Equipment of a Modern University Library, a paper by H. G. Plum before the Iowa Political Science Club, 297
Evans, O. L., Director of Madison County Historical Society, 456
Facts and Fictions Concerning Educational Values, a paper on, by F. E. Bolton, 292
Fairbanks, Professor Arthur, lectures by, 137
Ferm, Rev. O. W., Director of Sioux City Associated Charities, 302
Ferson, M. L., publisher and business manager of *The Iowa Alumnus*, 298; member of the State Historical Society of Iowa, 457
Financial report of State Historical Society of Iowa for year ending July 1, 1904, 460, 461
Fitch, Laura, Secretary of the Lucas County Historical Society, 455
Fitzpatrick, T. J., an account of the Iowa Academy of Sciences by, 305–308; employed as Collector by the State Historical Society of Iowa, 620
Fleming, Walter L., author of *Documents Relating to Reconstruction*, 617

Digitized by Google

Flom, Geo. T., review of *A Journal of Politics, Literature, and Social Questions* by, 308, 411
Floyd Monument, The, an account of, by F. H. Garver, 137
Foster, Professor T. Gregory, address by, on *The English Education Acts*, 130
Franklin's Influence in American Education, an article by Dr. Francis Newton Thorpe on, 130
Freedmen's Bureau, a monograph on, by Paul S. Peirce, 294
Ft. Des Moines, marking the site of old, 131
Galinsky, A. L., Director of Sioux City Associated Charities, 302
Garver, F. H., author of the Floyd Monument, 137; The Academy of Science and Letters of Sioux City, 142; a paper by, on *Local History*, 300
Gay, Thomas, Vice-president of Lucas County Historical Society, 455
Geiser, Karl F., Macy's *Iowa Government* revised by, 296
Geographical Society, American, Bulletin of, 295
Ginn & Co., announcement of revised edition of Macy's *Iowa Government*, 296
Goff, Charlotte, General Secretary of Sioux City Associated Charities, 302
Governors of the Territory of the Old Northwest, The, a study of, by Dwight G. McCarty, 133
Grant—His Last Triumph, title of an address before the Grant Club by C. F. Reavis, 299
Grant—The Commander, title of an address before the Grant Club by Chas. E. Pickett, 299
Grant's Life as a Peace Lesson, title of an address before the Grant Club by Clark Howell, 299
Greene, Calvin G., President of the Historical Society of Linn County, 454; member of State Historical Society of Iowa, 457
Gregory, Dean Charles Noble, paper by, on *Jurisdiction over Foreign Vessels in Territorial Waters*, 133, 300; paper by, on *Lawyers and their Training*, 297; addresses by, at Congress of Arts and Sciences at St. Louis, 615
Grinnell, J. B., grave of, crowned and decorated, 454
Grinnell, the town of, arrangements for semi-centennial celebration of, 127, 291; celebration of semi-centennial anniversary, 453, 454; publication of addresses at semi-centennial, 615
Grinnell Semi-Centennial Celebration, The, by L. F. Parker, 139
Gue, B. F., author of *History of Iowa*, 132
Haines, Austin P., study of *Sectional Influences in Iowa* by, 132; 133
Hall of History, proposed, 131
Hamlin, Homer, grave of, crowned and decorated, 454
Harbert, A. N., copies of portraits of Albert M. Lea secured by, 133; gifts to State Historical Society by, 151; removal of, to Cedar Rapids, Iowa, 294; address on Capt. Thomas Drummond by, 451; curator of the Historical Society of Linn County, 454
Harlan, E. R., member of State Historical Society of Iowa, 457
Harper, S. H., member of State Historical Society of Iowa, 457
Harvard Law Review, reprint from Vol. XVII of, 451
Hawaiian Case, The, a pamphlet on, by Emlin McClain, 451
Hawkeye Pioneer Association of Des Moines County, brief account of, 295
Hay, John, address on William McKinley by, 459
Haynes, Professor F. E., Director of Sioux City Associated Charities, 302
Hazelquist, R. A., Director of the Lucas County Historical Society, 455

Digitized by Google

Health Officers' Association, Iowa, bill introduced in Iowa General Assembly, by, 292
Hebard, Hon. Alfred, article by, on *Original Survey of the C., B. & Q. R. R. Line* in *Annals of Iowa* for October, 1903, 129
Herriott, F. I., paper by, in *Bulletin of Iowa State Institutions*, 291
Herriott, John, an address by, on *Measures or the Man*, 299
Historical Association, American, special session or round table at meeting of, to be devoted to State and local historical societies, 291; 617
Historical Department of Iowa, building for, 131, 453; foundations of, laid, 616
Historical Research, A Bureau of, an account of, by A. C. McLaughlin, 303, 304; Director of, 304; present activities of, 304
Historical societies, local, suggestions to, relative to collecting and preserving the materials of local history, 619
Historical societies, State and local, session or round table of American Historical Association to be devoted to, 291, 617; conference of, at St. Louis, 622
Historical Society of Wisconsin, reprint of Vol. I of *Collections* of, 453
Historical Society, Linn County, 454, 460, 616; Lucas County, 450, 455, 460; Madison County, 456; Jackson County, 460
History and the Historical Novel, course of lectures on, by Francis N. Thorpe, 298
History of Iowa by B. F. Gue, announcement of, 132
Hoar, Senator, address of, on *American Citizenship* printed by State University of Iowa, 127
Hobson, Professor J. G., Director of Sioux City Associated Charities, 302
Holyoke, Thomas, grave of, crowned and decorated, 454
Horack, F. E., an account of The Sixth Annual Meeting of the League of Iowa Municipalities by, 140; Secretary of State Historical Society of Iowa, 459; at conference of Historical Societies at St. Louis, 619
Horack, H. C., one of the editors of the *Harvard Law Review*, 294
Howe, Anna Belknap, author of *List of Books by Iowa Authors*, 618
Howell, Clark, address by, on *Grant's Life as a Peace Lesson*, 299
Hubbard, N. M., Director of the Historical Society of Linn County, 454
Hutchins, H. D., awarded Iowa Colonial Dames' prize for 1903, 128
Iowa, article on, by Johnson Brigham in *Encyclopedia Americana*, 128
Iowa, Early, title of an address by Professor Benjamin F. Shambaugh, 130
Iowa, Early Political History of, title of an address before the Grant Club by Benj. F. Shambaugh, 299
Iowa, in the Territory of Missouri, an article by Rev. William Salter in *Annals of Iowa*, 292
Iowa, in Unorganized Territory of the United States, an article by Rev. William Salter in *Annals of Iowa* for October, 1903, 129
Iowa, the First Free State of the Louisiana Purchase, by Rev. William Salter, 300
Iowa Academy of Sciences, The, an account of, by T. J. Fitzpatrick, 305, 306, 307; organization of, 305; meetings of, 305, 306; publications of, 307, 308
Iowa Alumnus, The, alumni organ of the State University of Iowa, 298; editors and management of, 298
Iowa Anthropological Association, The, by D. J. H. Ward, 143, 291
Iowa Authors, List of Books by, publication of a, 618
Iowa Daughters of the American Revolution, The, a paper by Mrs. E. D. Burbank, 130

Digitized by Google

Iowa Government, Macy's, revised by Karl F. Geiser, 296
Iowa Health Officers' Association, bill introduced in Iowa General Assembly by, 292
Iowa history, prize for best essay in, offered by the Iowa Society of the Colonial Dames of America, 128, 294, 455, 460, 617
Iowa History Club, formed at the State University of Iowa, 615
Iowa Journal of History and Politics, Index to Vol. I of, compiled by Bertha H. Shambaugh, 127
Iowa Library Commission, a check list of the printed public documents of the State of Iowa prepared under supervision of, 127; announcement by, of the fourth annual session of the Summer School for Library training, 294; *First Report of*, 452
Iowa Park and Forestry Association, third annual meeting of, 133, 291
Iowa Pioneer, An, an article in *Annals of Iowa*, 292
Iowa Program for Study Clubs, An, issued by the State Historical Society of Iowa, 457
Iowa public documents, a bibliography of, compiled by the State Historical Society of Iowa, 134
Iowa, Sectional Influences in, a study by Austin P. Haines, 132
Iowa Settler's Homestead, An, an article by George C. Duffield in *Annals of Iowa* for October, 1903, 129
Iowa Society of the Archæological Institute of America, The, an account of, by B. F. Shambaugh, 146
Iowa State Board of Health, statistics in report of, 135
Iowa State Conference of Charities and Corrections, The Sixth, by C. W. Wassam, 148
Iowa State Publications for 1902 and 1903, A Bibliography of, by Margaret Budington, announcement of, 131
Iowa State publications, duplicates of, in library of the State Historical Society of Iowa, 458
Ioway Club, The, new edition of Lea's *Notes on Wisconsin Territory* by, 616
Imitation, a paper by F. E. Bolton read before the Iowa Political Science Club, 297
Indian Corn in Argentina, monograph on, by F. W. Bicknell, 293
Individualism and the Rise of the United States, by Irving B. Richman, 128
Ingersoll, Mrs. T. S., Director of Sioux City Associated Charities, 302
Ingham, Harvey, Curator of the State Historical Society of Iowa, 459
Jackson County Historical Society, an auxiliary member of the State Historical Society of Iowa, 620
Jackson Sentinel, 50th anniversary of, commemorated by souvenir edition, 450
James, J. A., lectures by, at Johns Hopkins University, 291
Johnson, Allen, member of State Historical Society of Iowa, 457
Journal of Politics, Literature, and Social Questions, A, reviewed by Geo. T. Flom, 308, 311
Jurisdiction over Foreign Vessels in Territorial Waters, a paper by Dean Charles Noble Gregory, 133, 300
Justice, The Foundations of, a lecture by Sir Frederick Pollock, 129
Kempker, John F., author of pamphlet on *The Catholic Church in Council Bluffs, Iowa*, 451; member of State Historical Society of Iowa, 457
Kennedy, Josiah F., article by, in *Annals of Iowa*, 292
Keokuk, son of the famous Iowa chief, death of, 134
Kerby, D. E., Treasurer of Sioux City Associated Charities, 302
Kerby, Rev. J. L., Director of Sioux City Associated Charities, 302
King, John, article by, in *Annals of Iowa*, 292

Digitized by Google

Knapp, C. A., 301
Kossuth County, celebration of the 50th anniversary of the settlement of, 615
Lacey, John F., an address by, on *Henry Clay*, 299
Larimer, Horace G., Treasurer of the Lucas County Historical Society, 455
Last Battle of Red River Campaign, article by W. G. Donnan in *Annals of Iowa*, 292
Law, The History of, title of a paper by Emlin McClain, 617
Lawyers and their Training, paper read by Charles N. Gregory before the Iowa Political Science Club, 297
Lea, Albert M., copies of portraits of, 133; a new edition of *The Notes on Wisconsin Territory* by, 616
Lea, Lidia L., daughter of Albert M. Lea, 616
Leach, J. G., copy of *Chronicle of the Yerkes Family, with Notes on the Leach and Rutter Families* donated by, to the State Historical Society of Iowa, 458
League of Iowa Municipalities, The, Sixth annual meeting of, an account of by F. E. Horack, 140
League of Iowa Municipalities, bills introduced into Iowa General Assembly by, 297
Lee, Guy Carleton, editor of a comprehensive history of North America, 299
Leland, Waldo G., compiler of *A Guide to the Archives of the Government of the United States in Washington*, 299
Lewis and Clark, memorial volume on, by Montana State Historical Society, 293
Library, Iowa State, building for, 453
Library Association, Iowa, meeting of, to be held in St. Louis, 294; American, meeting of, 294
Library Commission, the Iowa, First Report of, 452
Library membership, provisions for, in the State Historical Society of Iowa, 458
Library of the State Historical Society of Iowa, additions to, 457, 458, 459
Library Training, Iowa Summer School for, to be held at the State University of Iowa, 294
Linn, Lewis Fields, a paper on, read by Dr. Burkhalter before the Linn County Historical Society, 616
Linn County, Historical Society of, 454, 616
Local History, a paper on, read before the Sioux City Academy of Science and Letters by F. H. Garver, 300
Loos, I. A., extension lectures delivered by, at Cedar Rapids, Iowa, 293; a paper by, on *Compulsory Insurance in Germany*, 297; Vice-president of State Historical Society of Iowa, 459
Louis, John J., 312; member of State Historical Society of Iowa, 457
Louisiana Purchase Flag Day, set apart by proclamation of the Governor of Iowa, 132
Lucas County Historical Society, 450, 460; an address by Benj. F. Shambaugh at annual meeting of, 450
Macbride, T. H., presidential address before Sigma Xi in 1902 by, 452
MacLean, Geo. E., member of the State Historical Society of Iowa, 620
Madison County, Historical Society of, 456, 460
Manley, W. P., Director of Sioux City Associated Charities, 302
Mannheimer, Rabbi Eugene, Director of Sioux City Associated Charities, 302
Maquoketa, The Pioneer Colonies of the City and Vicinity, an article on, in the *Jackson Sentinel* by Mary A. Reid and Harvey Reid, 450
Maquoketa Valley Pioneer and Old Settlers' Society, an auxiliary member of the State Historical Society of Iowa, 620
Marks, C. R., 300
Marsh, S. P., Director of Sioux City Associated Charities, 302

Digitized by Google

Mason, Judge, address in 1858, by, before the Hawkeye Pioneer Association, 295

Mason City Public Library, publications of State Historical Society in, 151

Measures or the Man, title of an address before the Grant Club by John Herriott, 299

Measurement of Individual Differences in Hearing, The, a paper by C. E. Seashore read before the Political Science Club, 297

Messages and Proclamations of the Governors of Iowa, the announcement of, Vol. V, 134; Vol. VI, 456, 619

McCarty, Dwight G., study of *The Governors of the Territory of the Old Northwest*, by, 133

McClain, Judge Emlin, lectures at State University by, 128; address on *Civilization and the Law* by, 292; author of pamphlet on *The Hawaiian Case*, 451; a paper on *The History of Law* at the Congress of Arts and Sciences by, at St. Louis, 617

McConnell, J. J., Curator of State Historical Society of Iowa, 459

McLaughlin, A. C., account of the Bureau of Historical Research in connection with the Carnegie Institution by, 305

McLaughlin, Dr. P. B., Director of Sioux City Associated Charities, 302

Milchrist, William, Curator of State Historical Society of Iowa, 459

Mississippi, report of the Director of the Department of Archives and History of the State of, 453

Mitchell, J. F., Curator of State Historical Society of Iowa, 459

Mitchell, T. W., instructor in Wharton School of Finance and Economy, University of Pennsylvania, 129; article by, on Chamberlain's Fiscal Policy, 293

Montana State Historical Society, Vol. V of the publications of, 293

Moore, Annie C., teacher in the Iowa Summer School for Library Training, 294

Moore, Chas. E., member of State Historical Society of Iowa, 457

Moore, Ernest R., Director of the Historical Society of Linn County, 454

Morcombe, Jos. E., author of a biography of Theodore S. Parvin, 132

Mounds, survey of, by Duren J. H. Ward, 457

Mueller, H. A., President of Madison County Historical Society, 456

Municipalities, League of Iowa, bills introduced into General Assembly of Iowa by, 297

Nebraska State Historical Society, 26th annual meeting of, 294

Nelson, O. N., author of *History of the Scandinavians and Successful Scandinavians in the United States*, 136

Noe, Chas. F., member of State Historical Society of Iowa, 457

Noland, Harry, an address by, on *Henry Clay*, 299

Nollen, H. S., member of State Historical Society of Iowa, 457

North America, history of, in twenty volumes, edited by Guy Carleton Lee, 299

Notes on Wisconsin Territory, Lea's, a new edition of, 616

Old Settlers' Association of Grinnell, an auxiliary member of the State Historical Society of Iowa, 620

Old Settlers' Association of Southwestern Iowa, the State Historical Society represented at meeting of, 619

Parish, L. W., Curator of State Historical Society of Iowa, 459

Park and Forestry Association, Iowa, third annual meeting of, 291

Parker, Professor L. F., chairman of committee on arrangements for Grinnell semi-centennial celebration, 127, 454; an account of The Grinnell Semi-Centennial Celebration by, 139

Digitized by Google

Parvin, Theodore S., a biography of, by Jos. E. Morcombe, 132
Patterson, John, 295
Paxson, F. L., author of *The Boundaries of Colorado*, 615
Peirce, Paul S., monograph by, on *The Freedmen's Bureau*, 294; member of the State Historical Society of Iowa, 620
Perkins, Geo. D., address by, on *Education as Related to Life*, 450
Pickard, J. L., Ex-President of the State Historical Society of Iowa in Cupertina, California, 134
Pickett, Chas. E., an address by, on *Grant—The Commander*, 290
Pioneer Life, Its Trials and Triumphs, a paper by E. R. Zeller, 456
Pioneers, The, title of address by B. F. Shambaugh, 619
Plum, H. G., paper by, on *The Equipment of a Modern University Library*, 297; publisher of *The Iowa Alumnus*, 298
Plumbe, John, Originator of the Pacific Railroad, an article by John King in *Annals of Iowa*, 292
Poffinbarger, G. W., Director of Madison County Historical Society, 456
Political Science, The Present Status of, a paper by Benj. F. Shambaugh read before the Iowa Political Science Club, 297
Political Science Club, Iowa, list of papers read before, 129, 297
Pollock, Sir Frederick, a course of lectures on *The Development of the Common Law* by, 129; lectures on *The Foundations of Justice* by, 129
Powers, Rev. J. D. C., President of Humane Society of Sioux City, 301; Director of Sioux City Associated Charities, 302
Prescott, T. C., 300
Proceedings of the Sioux City Academy of Science and Letters, 618
Publications of the State Historical Society of Montana, Vol. V of, to be a Lewis and Clark memorial volume, 293
Public documents of the State of Iowa, a check list of the printed, prepared by Miss Lavinia Steele, 127; removal of from the basement of the Iowa Capitol, 127
Public Libraries, suggestions to, relative to collecting and preserving the materials of local history, 462; the mission of, 465
Puclic Library in Iowa, The Historical Function of the, by B. F. Shambaugh, 149
Read, Wm. L., member of State Historical Society of Iowa, 457
Reavis, Chas. F., address by, on *Grant—His Last Triumph*, 299
Reconstruction, documents relating to, publication of, 617
Register and Leader, F. W. Beckman, on the editorial staff of, 133
Reid, Harvey, author of *What Made Maquoketa, The Pioneer Colonies of the City and Vicinity*, 450
Reid, Mary A., author of *What Made Maquoketa, The Pioneer Colonies of the City and Vicinity*, 450
Republican Party, The, history of, by Francis Curtis, 298
Rhode Island, by Irving B. Richman, notice of English review of, 134; volume on, in *American Commonwealth Series* to be written by Irving B. Richman, 452
Rich, J. W., editor of *The Iowa Alumnus*, 298
Richman, Irving B., author of *Individualism and the Rise of the United States*, 128; notice of English review of work of, 134; volume on *Rhode Island* in *American Commonwealth Series*, to be written by, 452; Curator of State Historical Society of Iowa, 459
Roadways of Territorial Iowa, title of Colonial Dames' prize essay in 1903, 453

Digitized by Google

Rogers, Mrs. Kate B., alumni editor of *The Iowa Alumnus*, 298
Rowland, Dunbar, report of, as Director of the Department of Archives and History in Mississippi, 453
Ruedy, Jacob, member of the State Historical Society of Iowa, 620
Runkle, J. A., Secretary of Historical Society of Linn County, 454, 455
Salter, William, article by, on *Iowa in Unorganized Territory of the United States* in *Annals of Iowa* for October, 1903, 129; celebration of 60th anniversary of his ordination to the ministry, 132; article by, in *Annals of Iowa*, 292; account of Hawkeye Pioneer Association by, 295; author of *Iowa, the First Free State of the Louisiana Purchase*, 300; elected honorary member of the Historical Society of Linn County, 455
Scandinavians and Successful Scandinavians in the United States, History of the, notice of, 136
Scandinavians in Iowa, Biographical Sketches of, notice of, 136
Schulein, Mrs. J., Director of Sioux City Associated Charities, 302
Schwaner, C. C., Director of Madison County Historical Society, 456
Science and Industry, an address before the Grant Club by A. B. Storms, 299
Seashore, C. E., a paper by, on *The Measurement of Individual Differences in Hearing*, 297
Seerley, H. H., member of State Historical Society of Iowa, 457
Sells, Cato, memorial to Capt. Thomas Drummond presented to the State on behalf of citizens by, 451
Semi-Centennial anniversary, celebration of, at Grinnell, 453, 454, 615
Seymore, Thomas Day, lecture by, at the University of Iowa on *Recent Excavations in Greek Lands*, 451
Shambaugh, Benjamin F., an address by, on *Early Iowa*, 130; author of sketch of Francis M. Drake, 138; The Iowa Society of the Archæological Institute of America, 146; The Historical Function of the Public Library in Iowa, 149; address by Peter A. Dey delivered at home of, 293; paper by, on *The Present Status of Political Science*, 297; an article on *The Work of the State Historical Society of Iowa* by, 298; an address by, on *Iowa's Early Political History*, 299; author of an account of the movement for the celebration of the semi-centennial of Sioux City, 300, 301; an address on *Early Iowa and the Pioneers*, delivered by, at annual meeting of Lucas County Historical Society, 450; elected honorary member of the Historical Society of Linn County, 455; juror in history at the Universal Exposition at St. Louis, 616; represented the State Historical Society of Iowa at meeting of Old Settlers' Association of Southwestern Iowa, 619
Shambaugh, Bertha H., compiler of Index to Volume I of *The Iowa Journal of History and Politics*, 127
Shelton, Charles E., Curator of State Historical Society of Iowa, 459
Sigma Xi, *President's Address* before, in 1902, 452
Sioux City, Associated Charities of, The, an account of, 301; organization of, completed, 301; officers of, 302
Sioux City Academy of Science and Letters, *Proceedings* of, 618
Sioux City Semi-Centennial, The, an account of the steps taken in the direction of a celebration of, 300; committee on, appointed by the mayor, 300
Six Uncrowned Rulers of Modern Europe, six lectures by W. C. Wilcox on, 450
Smith, Rev. Ralph P., Vice-President of Sioux City Associated Charities, 302

Digitized by Google

Some Problems in International Law, title of an address by C. N. Gregory, 615
Sons of the American Revolution, Iowa Society of, 459
South Dakota, the State Historical Society of, establishment of, 135; contents of Vol. I of *Collections* of, 135
Southern Historical Association, purpose of, 151
Stanton, E. W., Curator of the State Historical Society of Iowa, 459
State Historical Society of South Dakota, organization of, 135; contents of Vol. I of *Collections* of, 135
State Historical Society of Iowa, bibliography of Iowa public documents compiled by, 134; the meetings of, 150; Jacob Van der Zee, assistant in library of, 150; *Iowa City, a Contribution to the Early History of Iowa* sent to members of, 151; contributions from A. N. Harbert to, 151; documentary material relating to the history of political parties in Iowa collected by, 151; Volume VI of *Messages and Proclamations of the Governors of Iowa* issued by, 456; *Bulletins of Information*, issued by, 457; *An Iowa Program* published by, 457; anthropological survey authorized by, 457; additions to library of, 457, 458, 459; persons elected to membership of, 457; financial reports of Iowa counties collected by, 358; provisions for library membership in, 458; duplicates in library of, 458; certificates of membership issued by, 459; election of officers by Curators of, 459; members of Board of Curators of, appointed by the Governor, 459; provision for auxiliary membership in, 459; auxiliary members of, 460; financial statement of, from July, 1903, to July, 1904, 460; recent legislation concerning, 461; The Work of, an article by Benjamin F. Shambaugh in the *Quarterly of the Iowa Library Commission*, 298
State Historical Society of Wisconsin, cost of maintenance of, 129
State Publications by R. R. Bowker, 151
Steele, Alice M., index to *Annals of Iowa* (3d series) by, 615
Steele, Miss Lavinia, a check list of the printed public documents of the State of Iowa prepared by, 127
Stephenson, E. E., Director of Sioux City Associated Charities, 302
St. Memin portraits, work on, by W. J. Campbell, 451
Stone, T. H., Vice-president of Madison County Historical Society, 456
Storms, A. B., an address by, on *Science and Industry*, 299; member of State Historical Society of Iowa, 457
Survey of the C. B. and Q. R. R. Line, Original, an article by Hon. Alfred Hebard in *Annals of Iowa* for October, 1903, 129
Swisher, Lovell, Treasurer of State Historical Society of Iowa, 459
Tariff, The, an address before the Grant Club by M. L. Temple, 299
Tariff Policy, Chamberlain's, and its effect upon the United States, an address before the Grant Club by James G. Berryhill, 299
Tariff Problems, articles on, in Jan., 1904, number of *Annals* of the American Academy of Political and Social Science, 293
Temple, M. L., an address by, on *The Tariff*, 299
Territory of the Old Northwest, The Governors of the, a study by Dwight G. McCarty on, 133
Thayer, Jessie M., Director of the Lucas County Historical Society, 455
Thomas, Simeon E., 130, 133
Thompson, T. Arthur, President of the Sioux City Associated Charities, 302
Thorpe, Dr. Francis Newton, author of *Franklin's Influence in American Education*, 130; course of lectures on *History and the Historical Novel* by, 298; author of *A Short Constitutional History of the United States*, 616

Digitized by Google

Tiedeman, N., Director of Sioux City Associated Charities, 302
Tyler, Alice S., 294; interest in publication of a list of books by Iowa authors, 619; member of the State Historical Society of Iowa, 620
Underground Railroad of Iowa, The, by H. D. Hutchins, 128
University of Iowa, State, lecture at by Dr. Thomas Day Seymore, 451
University of Iowa, State, Iowa History Club at, 615
Van der Zee, J., awarded prize offered by the Iowa Society of Colonial Dames, 453; assistant in the State Historical Society of Iowa, 619
Van Meter, I., address by, at the Iowa College for the Blind, 451
Van Tyne, C. H., compiler of *A Guide to the Archives of the Government of the United States in Washington*, 299
Van Wagenen, A., Director of Sioux City Associated Charities, 302
Vinton Eagle, The, account of Drummond memorial tablet in, 451
Vital Statistics, an article by Dr. J. F. Kennedy in *Annals of Iowa*, 292
Wade, M. J., books received by State Historical Society through kindness of, 457, 458
Wakefield, George W., 300
Ward, Duren J. H., authorized by the State Historical Society of Iowa to continue anthropological survey, 457; author of The Iowa Anthropological Association, 143; member of committee of the Archæological Institute of America on the preservation of the ruins of American antiquity, 620
Wassam, C. W., author of The Sixth Iowa State Conference of Charities and Corrections, 148
Watts, Rev. J. F., Director of Sioux City Associated Charities, 302
Way, J. A., Secretary of Madison County Historical Society, 456
Weaver, J. B., Jr., member of State Historical Society of Iowa, 457
Whipple, W. P., address by, at the Iowa College for the Blind, 451
Whitcomb, Mary R., index to old Iowa newspapers compiled by, 130
White, Rev. F. Newhall, Director of Sioux City Associated Charities, 302
Wick, B. L., 132; Director of the Historical Society of Linn County, 454
Wilcox, Professor W. C., university extension lectures by, 136, 292, 450; at St. Louis conference of historical societies, 619
Wilkinson, W. S., author of *Early Days on Middle River*, 456
Williamson, Gen. James A., biographical sketch of, in *Annals of Iowa* for October, 1903, 129
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